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**HOBBS'S MORAL FACTUALISM**

REASON, FACTS & INTENTIONS

**THOMAS O'NEILL**

**PhD-THESIS, SCHOOL OF GOVERNMENT AND INTERNATIONAL AFFAIRS**

**DURHAM UNIVERSITY 2016**



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## ACKNOWLEDGEMENTS

The question I have had to answer most often during the process of research and writing, which eventually produced this thesis, was: 'why Hobbes?' It is an understandable question, seeing that not many of us prefer to read the same texts over and over again, with the aim of writing a book-sized monograph formulating your thoughts while combatting others. Though I have had ample time to formulate appropriately academic answers, such as 'I love Hobbes' logics' and 'I agree with John Rawls that Hobbes is the greatest philosopher who wrote in English', the real answer is idiosyncratic. It started in the summer of 2008, when I had just moved to Montreal for the completion of my bachelor's degree in Philosophy, at McGill University. I had completed all the philosophical courses to my liking at Leiden University, back in the Netherlands, so I had 'forced' myself to move elsewhere. I wanted to find one or two more modules that would discuss moral and political theory. One of the available options was a post-graduate course in early modern philosophy taught by Arash Abizadeh. The course turned out to be a bi-weekly reading group on Hobbes, reading both primary and secondary literature. We kept wrestling with the debates on Hobbes's laws of nature, his religious convictions, the difference between the *in foro interno* and *in foro externo* obligations — if there were any other obligations but those laws formulated by the sovereign — the signification of liberty, the differences between Hobbes's writings over the years, etc. etc. etc. Even as a kid I never formulated a strict stance on my future: the words 'I want to become a pilot', fireman, or doctor, never passed my lips. It was at McGill that I made up my mind. I decided to one day pursue a PhD, no matter what. I kept reading Hobbes's works and wrote two dissertations based on Hobbes's writings after my time at McGill. One on the signification of liberty, at Leiden University, and one on the laws of nature, at the London School of Economics. Paul Nieuwenburg, Eric Schliesser, and Jason McKenzie Alexander helped me formulate my ideas more clearly and were able to point out some obvious mistakes in each of my writings. Their influence is still apparent in this thesis.

Back from Montreal I returned to Leiden. After graduation the university offered a contract as a junior lecturer. I started and finished my experience under the auspices of Patrick Overeem, who has helped me out more than once, even more so when I had already left Leiden.

After my time in the Netherlands I completed a master's degree at the London School of Economics in Logics, Philosophy, and the Scientific Method. I promised myself not to write on Hobbes again. From the dozen or so electives there was one module on political philosophy,

which I forbade myself to follow. Instead, I chose philosophy of science, philosophy of social science, and game theoretical modules, all for the sake of changing my repertoire from Hobbes to 'something different'. No luck: I ended up writing another dissertation on Hobbes and applied for a PhD-position under Thom Brooks' and Maria Dimova-Cookson's supervision.

I arrived at Durham University to complete 'the PhD-dream'. If we have to believe phdcomics.com and the many comments made by PhD students anywhere I seem to go, the usual PhD-student experience is a painful one. Loneliness and writing block are the reoccurring states of mind once you start spending your time on one subject twenty-four seven. Durham – a small town promoted to 'city' by virtue of its grandiose cathedral – might contribute to that feeling of being stuck in an office one cannot escape. However, writing the thesis was a great adventure. I have to thank my boat club in Durham — University College Boat Club — as it offered an escape from the computer screen and the library, and perhaps the city of Durham offers more entertainment than I had imagined at the very start of the PhD-task.

While at Durham I presented a number of papers and I wish to thank Tom Sorell, Carlo Burrelli, Laurens van Apeldoorn, Johan Olsthoorn, Robin Douglas, Matthew Hoye, and Alissa MacMillan for their constructive comments.

Colleagues and fellow rowers are great, but my mother should take centre stage at this point. My time in Durham had probably been less enjoyable, and less adventurous, were it not for the many positive answers to a call to help. A very similar call to help, time and time again. My mother replied with a very similar question: "Tom, how much is it you need?" My number one motivation near the end of the PhD was to avoid ever having to call my mother again in need of aid. It helped. The same counts for Anthon.

February 2016, Durham



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**DP:** 'Decameron Physiologicum' in *The English Works of Thomas Hobbes*, edited by William Molesworth, Vol. 7. London: C. Richards, Printer, St. Martin's Lane, 1839.

**SPP:** 'Seven Philosophical Problems' in *The English Works of Thomas Hobbes*, edited by William Molesworth, Vol. 7. London: C. Richards, Printer, St. Martin's Lane, 1839.

**SL:** 'Six Lessons' in *The English Works of Thomas Hobbes*, edited by William Molesworth, Vol. 7. London: C. Richards, Printer, St. Martin's Lane, 1839.

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## INTRODUCTION

This thesis attempts one more answer to the question, 'does Hobbes have a moral theory?' Hobbes argues that he has a true moral philosophy put forth in his laws of nature. However, Hobbes's description of human nature as wholly determined and self-centered makes many wonder if there is a Hobbesian moral theory at all. Two interpretations appear most commonly, provided by the orthodox interpretation, and those who dissented from the orthodox answer.<sup>1</sup> The orthodox answer argues that Hobbes's moral theory is not really a moral theory, but an advice at best: one ought to act according to the laws of nature, *if* one values one's preservation. To summarise in a 'language' more appropriate for later comparisons: '**one ought to x, if one values one's y**'.<sup>2</sup> Dissent argues that Hobbes's moral theory *is* a proper moral theory: the value of one's survival is not dependent on one's subjective preferences, but an objective value. As such, one ought to act according to the laws of nature, because one ought to value one's survival: '**one ought to x given y has value**'.

The silent assumption in both dominant interpretations is the idea that a moral theory is necessarily linked to one's theory of the good. The orthodox argue Hobbes's moral theory is subjective based on his subjective theory of the good; dissent argues that Hobbes's objective moral theory means there is at least one thing that ought to be valued, which is one's survival. In effect, Hobbes's moral theory and his theory of the good are dependent on one another.

I argue that Hobbes shows they are independent from each other. His subjective theory of the good, which shows that people call all sort of things good or evil dependent on subjective attitudes and dispositions, is diametrically opposed to his objective moral theory, which is 'eternal and immutable', 'equally obliging all mankind'.<sup>3</sup>

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<sup>1</sup> I use the terms 'orthodox' and 'dissent' similar to Deigh's distinction in his 'Reason and Ethics'. The distinction is common to many authors and I believe it to be justified. Baumgold is one example of an exception (*Hobbes's Political Thought*, introduction), using a three-way distinction, between the orthodox, natural law (in effect, dissent), and geometry interpretations. The latter interpretation emphasises Hobbes's belief in geometry as 'the only science God has hitherto bestowed upon mankind' (L 4.12). However, such a distinction is not as 'clean' as the two-way distinction more commonly used between the former two interpretations. For instance, both Hood and Watkins emphasise the role of geometry in Hobbes' system of thought, however, they just as easily fit in the orthodox (Watkins, *System of Ideas*) and dissent (Hood, *Divine Politics*) categories.

<sup>2</sup> x = act according to the laws of nature; y = preservation.

<sup>3</sup> L 15.40, 27.3, 26.9

The orthodox are right to argue that Hobbes's moral theory does depend on one's desires. However, where the orthodox argue that one ought to execute the laws of nature dependent on one's particular desire for survival, I argue that Hobbes's moral theory obliges individuals independent of any *particular* desire. Instead, Hobbes argues that one ought to act in accordance with the laws of nature because each individual will value *something*, and in order to enjoy that something, one necessarily has to live to enjoy whatever that something might be. In other words, '**one ought to x because one values something, for which one necessarily has to value y to enjoy that something**'. Hobbes's moral theory is therefore not dependent on a particular subjective or objective value, but on a fact of human nature that all value something.

Such a moral theory is therefore best summarised as **naturalistic**, given the 'ought' that each moral theory includes depends on natural properties that are the ability to desire and the need to survive to enjoy one's desires. So far Hobbes's moral theory is **subjective** given that morality makes no sense if people were not around to desire things. However, it is **objective** in the sense that those who disagree with the fact that survival is a necessity are simply wrong – this moral theory is therefore **cognitivist**. The laws of nature are moral propositions which are truth-ap, and Hobbes believes these to be true, which shows Hobbes is a **moral realist**. Hobbes's moral realism is non-negotiable and does not make for a conventionalist moral theory: each moral proposition is true, independent of one's particular desires as the law of nature's truth is **universal** – it applies to all of us, at all times. The truth found in the laws of nature are not similar to geometrical truths, as so often is argued. Whereas the geometrical sciences start their ratiocination from self-defined objects, and lines and figures can at all times be drawn from one's own hands, **the moral (and civil) sciences have to include a final cause** — an aim — that is external to any particular individual. That aim is nature's preservation.<sup>4</sup> Because the aim of the natural law is sensible only to those who actually value something – *any* thing – the moral law remains **prudential**, even though it applies universally. Hobbes reckons his laws of nature Divine, however, the use of reason will suffice to discover their truth. His moral theory is therefore not religious – it is rather **secular**.

My research on Hobbes relates to questions that have been researched before. In fact, I have found it impossible to cite any sentence from any one of Hobbes's many works that has not already been the centrepiece of one or more research articles. As argued earlier, the questions

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<sup>4</sup> L 15.36. I emphasise the use of 'nature's preservation' here, and will defend this emphasis in chapter 6.

and answers provided have lead to a debate, which, roughly speaking, can be divided in to two camps: orthodoxy versus dissent. The following two sections provide a summary of the core problems and answers that each side of the debate has dealt with, which is a handy introduction into the claims that I make later on in this thesis.

There is no surprise that a grand figure such as Hobbes will give rise to various opposing interpretations, even though those opposing interpretations on Hobbes's moral and political thought are only of late. Hobbes's allegiance to a religious school of thought was food for thought and debate early on, yet early interpreters read Hobbes's theory of obligation similarly: as a minimal theory of obligation that depended on one's prudent preferences instead of a religious or moral good. Such a moral theory is hardly moral since one's 'obligations' are self-imposed and serve one's private interests. Whoever supported such a view was dubbed a Hobbist, which was anything but a compliment: Isaac Newton suspended his correspondence with John Locke until Locke had assured him he was not a Hobbist.<sup>5</sup> It would become the epithet for those deemed atheists and ethical egoists, for those 'who argued that since one is better off in any stable society than in the state of nature, it is rational to understand that one has consented to the rule of the de facto sovereign of that society'.<sup>6</sup>

Interpreters that dissented from this description of Hobbes's moral and political theory usually refer to the publication of A.E. Taylor's 'The Ethical Doctrine of Hobbes' from 1938 as the origin of their reading of Hobbes, which argued that 'Hobbes's ethical doctrine proper...is a very strict deontology, curiously suggestive, though with interesting differences, of some of the characteristic theses of Kant'.<sup>7</sup> Taylor initiated a deontological interpretation that dissented from the accepted 'self-interested' view. Authors such as Warrender, Hood, and Martinich, and in some important respects Gert, were to support the deontological reading later on. A.E. Taylor's view was starkly different from what I call the orthodox interpretation – the interpretation that would argue Hobbes was indeed a Hobbist of sorts. It has been the mainstream view of Hobbes for the last 460 years, and it remains the orthodox interpretation today; it is the interpretation one would expect to hear when visiting an introductory lecture on Hobbes.

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<sup>5</sup> Newton in Brewster, *The Life of Isaac Newton*, 238

<sup>6</sup> Dyzenhaus, 'Authority of Law', 186; For historical claims concerning Hobbes's thought as perceived in his day and Hobbism in particular, see Mintz, *The Hunting of Leviathan*; Lamprecht, 'Hobbes and Hobbism'; and, Sorell, 'Scheme of the Sciences', 33-38.

<sup>7</sup> A.E. Taylor, 'The Ethical Doctrine of Hobbes' of 1938, 408

### I. The orthodox point of view

The orthodox point of view is by definitional necessity the accepted view. Of course, not all orthodox authors argue an identical reading of Hobbes, but there is a core to their interpretation that is widely shared, by, amongst others, Hampton, Kavka, and Gauthier.<sup>8</sup>

This camp argues there are no obligations in the state of nature; there is nothing one *ought* to do for the sake of some objective value, since whatever one does is what serves one right. Any obligation is voluntarily self-imposed because one believes it is in one's own interest given people are determined to do so. This offers a problem in the search for a Hobbesian moral theory, as Nagel argues: 'genuine moral obligation plays no part in *Leviathan* at all, but that what Hobbes calls moral obligation is based exclusively on considerations of rational self-interest'.<sup>9</sup> One is not obliged to follow the dictates of the natural law for they are mere advice. And, whenever one does 'opt' to live according to the laws of nature, one does so because it is in one's interest to do so; the laws of nature are 'prudential maxims, which each man should obey for his own sake'.<sup>10</sup> Watkins dubs the laws of nature in orthodox fashion as 'doctor's orders' – as prescriptions any rational person would follow, leaving morality aside as irrelevant.<sup>11</sup>

Morality is a man-made product on an orthodox account. For Hobbes to call the law of nature the one and only *true* moral theory leads Watkins to argue that Hobbes defends a Humpty-Dumpty theory of truth in moral matters. Humpty-Dumpty argues that when he uses a word, 'it means just what I choose it to mean — neither more nor less'.<sup>12</sup> Humpty-Dumpty might be labelled a radical nominalist, which is the doctrine that truth depends on man-made definitions only. When Alice questions the validity of Humpty-Dumpty's radical nominalism, Humpty-Dumpty simply asserts that words simply mean what the strongest want it to mean: 'it is whoever's master'. Likewise, according to the orthodox interpretation, morality is simply what the master makes it, with the master being the sovereign of the commonwealth's version of *Through the Looking Glass*.

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<sup>8</sup> Orthodox interpretations include: Gauthier, *Logic of Leviathan*; Hampton, *Social Contract Tradition*; Nagel, 'Hobbes's Concept of Obligation'; Kavka, *Hobbesian Moral and Political Theory*; Watkins, *System of Ideas*. More recent interpreters include Eggers, 'Liberty in Hobbes'; Herbert, 'Non-normative Nature'; and Lloyd, *Morality in the Philosophy*. Though Lloyd objects and argues against the orthodox interpretation, the fundamental elements of orthodoxy remain. (See Venezia, 'Lloyd's Orthodoxy').

<sup>9</sup> Nagel, 'Hobbes's Concept of Obligation', 69

<sup>10</sup> *ibid.*, 72

<sup>11</sup> Watkins, *System of Ideas*, 59

<sup>12</sup> *ibid.*, 104. Taken from Lewis Carroll's *Through the looking glass*.

Many more recent authors promote an interpretation that understands the laws of nature as dependent on one's preferences such that the obligatory nature of one's duties is easily swept to the side: as soon as I do not crave what my obligations argue I ought to crave, my obligations are obsolete. Gauthier therefore argues 'that we may understand the laws of nature as primarily rational precepts' instead of *obligatory* laws proper.<sup>13</sup> The difference between a law of nature as a *rational precept* as opposed to an obligatory *moral law* underlines one more feature distinctive of the orthodox interpretation, namely: a natural law is merely a piece of counsel, formulated as a *hypothetical* imperative instead of a *categorical* imperative; as a *prudential* obligation instead of an obligation proper. The result of defending the view that Hobbes's 'moral' theory is made up of *hypothetical* imperatives means that a law of nature such as 'every man ought to endeavour peace' should be read as 'if you value your survival *then* you ought to endeavour peace'. This induced Curley to argue that 'every man ought to endeavour peace' is apparently on par with 'if you wish to become a good burglar, study carefully the habits of the people whose homes you intend to break into'.<sup>14</sup> The orthodox therefore doubt if Hobbes really has a moral theory at all.<sup>15</sup>

The only obligatory law left is the written civil law – the law the Humpty-Dumpty of the commonwealth formulated, a.k.a. the sovereign, which again, does not make for much of a moral theory. Hobbes namely argues that the civil law too prescribes whatever it is one desires. With an ingenious move Hobbes argues that the sovereign's will is what one would have willed one's self. One contracted into civil government by handing over one's rights and pledged to act in accordance with the transfer of one's rights to a sovereign who, in effect, rightfully owns the wills of all his subjects.<sup>16</sup> To act against the civil law is a contradiction: it is to act against one's self-declared interest. The idea that *every* Hobbesian obligation is self-imposed is at the core of the orthodox interpretation and based on Hobbes's words that there is 'no obligation on any man which ariseth not from some act of his own'.<sup>17</sup> Parry argues man keeps 'covenants either on

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<sup>13</sup> Gauthier, 'Hobbes: The Laws of Nature', 284

<sup>14</sup> L 11.4; Curley 1994, introduction to L, p. xxxi

<sup>15</sup> One more example of explicitly doubting the morality of Hobbes's 'moral' theory is Watkins, *System of Ideas*, 56.

<sup>16</sup> See, for example Ewin, 'Artificial Chains', 12, who argues, that '[i]n declaring a law, therefore, the sovereign is declaring my will. Since it is my will, the possibility of my doing otherwise than I have willed to do is ruled out. I cannot act otherwise as a citizen.' It is taken from EL 16.2, where Hobbes argues 'And there is in every breach of covenant a contradiction properly so called; for he that covenanteth, willeth to do, or omit...and therefore he that violateth a covenant, willeth the doing and the not doing of the same thing at the same time; which is a plain contradiction'.

<sup>17</sup> L 21.10

prudence or on the will of the sovereign authority'.<sup>18</sup> Twenty years on, Alan Ryan also argued that one needs an act to create an obligation: 'it is submission that creates the obligation'.<sup>19</sup> Another twenty years later, Skinner too defends the idea that obligations must be created instead of discovered given 'man's *obligation* arises only when he transfers his right by way of actually undertaking a covenant'.<sup>20</sup> According to the orthodox interpretation, covenants should be lived up to, not because of moral but because of prudential reasons.

Orthodox authors base their self-interest, and sometimes outright egotistical, interpretation of Hobbes on his determinism, which is the doctrine that all states of affairs are the result of external antecedent events, and could not have been otherwise. In other words, 'nothing can change itself'; there is no autonomy as one is never the author of one's own life.<sup>21</sup> Individuals act as a result of given temperaments and external desires, which either attract or repel one to an object. However one acts, one cannot but act to satisfy one's own interests, since 'every man by nature seeketh his own benefit and promotion'.<sup>22</sup> Even 'acting according to the laws of nature' is an act done because it is some good to the agent, and therefore the antithesis of moral behaviour. Moral theories namely offer 'a code of conduct that, given specified conditions, would be put forward by all rational persons'.<sup>23</sup> Rationality implies an impersonal method of discovering what it is one ought to do.<sup>24</sup> The requirement of morality is that *all* rational individuals would defend that code of conduct; to act for the sake of one's private interests is therefore the antithesis of moral behaviour, however moral one's acts might seem on the surface. Orthodox authors thus assume (a) one is compelled to act in a self-centered manner, (b) that Hobbes's moral theory cannot escape this fact and is dependent on man's psychology instead, which (c) makes transcendental moral laws, which aim for a common good rather than a self-interested good, impossible. The interdependence of these three claims is neatly summarised by Watkins, who describes the orthodox point of view as follows:

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<sup>18</sup> Parry, 'Performative Utterances', 246

<sup>19</sup> Ryan, 'Hobbes and Individualism', 91

<sup>20</sup> Skinner, *Hobbes and Republican Liberty*, 45

<sup>21</sup> L 2.1

<sup>22</sup> L 19.9

<sup>23</sup> Gert, *Morality*, 14; See Chapter 1 section I for a continued discussion on the building blocks of moral theories.

<sup>24</sup> Peters, *Hobbes*, 164



If natural laws are neither transcendent, nor immanent in legal systems, but are nevertheless some kind of imperative, which is both prior to political authority and found out by reason; and if psychological axioms are the only permissible premises; then natural laws must be hypothetical imperatives deduced from psychological premises, teaching us what we must do if we are to consistent with our own nature.<sup>25</sup>

According to orthodoxy, the laws of nature are hypothetical imperatives, which apply only to those who happen to prefer their survival over death. As argued earlier, the laws of nature take the form of: 'one ought to x, *if* one values one's y'.

## II. Dissent's point of view

A.E. Taylor contested the orthodox interpretation most famously. Two decades later Warrender expanded Taylor's dissent from the accepted view. Their thesis, which I title dissent, is also known as the Taylor-Warrender thesis.<sup>26</sup>

Dissent's view is fore mostly known for its deontological interpretation of Hobbes's moral theory. It argues the laws of nature oblige *always*; not just when subjects regard it a rational choice that serve private interests. Rather, the laws of nature are moral obligations. Even where a civil law is absent there is a moral standard, which obliges nonetheless.<sup>27</sup> That moral standard is the natural law, from which Warrender concludes, contrary to the orthodox reading, that 'Hobbes is essentially a natural law philosopher'.<sup>28</sup> Warrender continues to argue that 'it is difficult if not impossible to find any assertion that Hobbes has abandoned natural law'.<sup>29</sup> Warrender comically denotes the orthodox interpretation as not too revolutionary – without the concepts of contract and natural laws 'Hobbes would have been a seventeenth-century Thrasymachus, and his political theory could have been written on a postcard'.<sup>30</sup> In other words, if the orthodox interpretation is indeed right, than Hobbes's thoughts just weren't all that revolutionary.

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<sup>25</sup> Watkins, 'Philosophy and Politics in Hobbes', 249

<sup>26</sup> Dissent interpretations include: A.E. 'The Ethical Doctrine of Hobbes'; Warrender, *Philosophy of Hobbes*; Hood, *The Divine Politics*; Martinich, *Two Gods of Leviathan*; and, Gert, *Prince of Peace*, and 'Hobbes on Reason'. Unlike the other dissent interpreters, Gert does *not* offer a religious interpretation of Hobbes. See his *Prince of Peace*, 82.

<sup>27</sup> Warrender, *Philosophy of Hobbes*, 101-102; Hood, *The Divine Politics*, 6; Martinich, *Two Gods of Leviathan*, 71-74 and 159-160.

<sup>28</sup> Warrender, 'Political Theory and Historiography', 933

<sup>29</sup> *ibid.*

<sup>30</sup> *ibid.*, 933f

Those moral imperatives are thus categorical instead of hypothetical, with Gert advocating this position most eloquently, arguing that 'it would be a travesty of Hobbes's view to regard the dictates of reason as hypothetical judgments addressed to those men whose desire for their own preservation happens to be greater than any conflicting desire'.<sup>31</sup> Whereas the orthodox interpretation argues an individual can be judged rational based on their ability to instrumentally fulfil their desires, *whatever those desires*, Gert argues that 'Hobbes realizes that rationality requires more than instrumental or verbal reason, it also requires natural reason which tells everyone to avoid death, pain, and disability'.<sup>32</sup>

Gert is in one respect a stranger to the dissent interpretation given Warrender, Hood, and Martinich are namely known for interpreting Hobbes as a religious thinker, which is the doctrine that 'the laws of nature are properly laws and are such because God commands them'.<sup>33</sup> It is not the sovereign or reason that is the origin of one's obligation, but God. Hobbes equates the laws of nature to the Divine Law on numerous occasions – as commandments given by God and argues that 'the Law of Nature, which is the eternall Law of God', obliges always, which fortifies the idea that the law is not a construct but an *a priori* imperative.<sup>34</sup> A religious interpretation does not just advocate that Hobbes was a devout Christian or believer; rather, '[a] religious interpretation is one that holds that the idea of God and other religious concepts play an important part in Hobbes's philosophy'.<sup>35</sup> Nonreligious interpretations of Hobbes's texts are likewise in the sense that they do not necessarily argue Hobbes was an atheist; rather, secular interpretations argue that Hobbes's religious views are irrelevant for understanding his political and moral theories. One can remove God out of the equation without affecting the core of Hobbes's argument.

The interpretation offered by dissent focuses on the objective value of one's preservation, either because they are God's commands or because of reason's substantive claim that the value of survival is absolute instead of arbitrary. As a result, the law of nature that preaches peace for the sake of nature's preservation, obliges *always* and *everyone*, including the sovereign: 'Sovereigns are all subject to the Laws of Nature; because such laws be Divine, and cannot by any man, or Commonwealth be abrogated'.<sup>36</sup> In effect, 'one ought to x *given* y has value'.

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<sup>31</sup> Gert, 'Hobbes on Reason', 255

<sup>32</sup> *ibid.*

<sup>33</sup> Martinich, *Two Gods of Leviathan*, 14

<sup>34</sup> L 42.131; see also L 26.40, 31.7

<sup>35</sup> Martinich, *Two Gods of Leviathan*, 13

<sup>36</sup> L 29.9

### III. The debate

The debate between the two dominant readings not only focuses on Hobbes's texts, but also on the historical eligibility of each interpretation. As Skinner argues against the views put forward by the religious interpretations of Taylor and Warrender:

If Hobbes intended to ground political obligation on a prior duty to obey the commands of God, then it follows that every contemporary – every follower, every opponent, every sympathizer – equally missed the point of his theory. Furthermore they were all mistaken in exactly the same way...It becomes clear, in short, that however plausible the deontological interpretation of Hobbes' theory of obligation may be as a reading of *Leviathan*, the price of accepting it is to remove most of the points of contact between Hobbes and the intellectual milieu in which he lived and worked.<sup>37</sup>

Warrender replies, arguing that '[i]f historical evidence is to set limits to legitimate theoretical interpretation, some clarification of the crucial historical scale is therefore imperative'.<sup>38</sup>

Warrender goes on to say

Professor Skinner introduces the notion of a 'historical absurdity', and this may conceal the germ of his enterprise. Such a notion is not immediately intelligible, representing as it does a mixed mode... Within a rational system, what we mean by calling some item a logical absurdity may be clear enough, but what of a historical absurdity?... It is difficult to see how Professor Skinner's expression can be given more than emotive significance unless we can specify a standpoint. There may be a historicist thesis in terms of which Hobbes as a natural law philosopher is a historical absurdity, but such a thesis has not been made explicit, and the onus would appear to rest with Professor Skinner to do so.<sup>39</sup>

Hobbes's contemporaries who were able to read and interpret Hobbes were a privileged few; and they might have read Hobbes as a psychological egoist. However, on a bigger scale, overlooking

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<sup>37</sup> Skinner, 'The Context of Hobbes's Theory', 282-285

<sup>38</sup> Warrender, 'Political Theory and Historiography', 933

<sup>39</sup> *ibid.*, 935-936

seventeenth century philosophy, it would seem Hobbes should be read as a natural law philosopher instead of an 'egoist'. Glover has made similar remarks regarding the unlikelihood of Hobbes's atheistic and egotistical foundations when he argued that '[a]theists were even rarer and more obscure in seventeenth-century England than communists are in the modern United States (...) Thomas Hobbes was denounced as an atheist; and the accusation was as honest and almost as irrational as the accusation heard recently in many parts of the South East that the NAACP is communistic'.<sup>40</sup>

These debates in the fifties all the way up to the late eighties of the previous century between orthodoxy and dissent have never been 'solved' even though the orthodox reading is so named because of its dominance. Recent interpreters find they defend some of the orthodox conclusions while simultaneously having to defend a number of dissent's conclusions, or explicitly wonder why the laws of nature are formulated as hypothetical imperatives at one point only to be defended as categorical imperatives later on. For instance, a recent defender of dissent's point of view, Harvey, emphasis that numerous "deontological sounding" passages permeate particularly crucial sections of Hobbes's corpus: Taylor, as some would have it, does not fashion his radical reading out of whole cloth'.<sup>41</sup> Orthodox authors agree. For example, Lloyd explicitly wonders

If Hobbes intended to justify his political conclusions in terms of the agent's self-interest, why did he insist across some thirty years of writings on employing the highly distorting language of natural law? Traditional conceptions of natural law understood that law to be directed to the *common* good, or the good of *humanity*, and not only to the narrow self-interest of the individual.<sup>42</sup>

It is not just the language of natural law; it is also the way in which Hobbes argues that the laws of nature are 'eternal and immutable', which 'oblige in conscience always', 'and cannot by any man or commonwealth be abrogated'.<sup>43</sup> Orthodox interpreter Gauthier says 'much of what [Hobbes] says elsewhere certainly suggests that he thinks of the laws of nature primarily as laws, and indeed as both divine and civil laws'.<sup>44</sup> Gauthier is only one of many authors who have

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<sup>40</sup> Glover, 'God and Thomas Hobbes', 275

<sup>41</sup> Harvey, Limited Deontological Theory', 35

<sup>42</sup> Lloyd, *Morality in the Philosophy*, 110

<sup>43</sup> L 33.22, 15.38, 42.131

<sup>44</sup> Gauthier, 'Hobbes: The Laws of Nature', 283

emphasised the rational choice interpretation in Hobbes – an interpretation that works well in a self-interested perspective assumed in the orthodox interpretation.<sup>45</sup> Orthodox interpreter Kavka also argues that even though Hobbes can be explained in a wholly rationalistic self-interested manner, the language Hobbes employs when discussing the laws of nature seem more moral, obligatory, and objective, than merely pieces of advice to those subjectively willing to seek preservation. Kavka argues that, ‘natural laws are general rules ... And from Hobbes’s claim that these general rules are eternal and immutable, we may infer that the rules are intended to apply at all times and places’.<sup>46</sup> Kavka concludes that, ‘the laws of nature prescribe certain kind of acts that *in fact* tend to promote preservation, whether or not the agent is aware of this’.<sup>47</sup> The doubts that Harvey, Lloyd, Gauthier, and Kavka espouse are the starting point of this thesis. I am fully aware of the fact that it is impossible for both strands of interpretations to be right, however, the doubts that the orthodox raise concerning the validity of their own point of view, especially given the many passages where Hobbes contradicts such views, shows there is still ground to be gained in our understanding of the author of ‘the greatest single work of political thought in the English language’.<sup>48</sup>

#### IV. This thesis

This thesis attempts to answer a straightforward question: what is Hobbes’s moral theory? The answer is not as straightforward as the question itself given many more have attempted an answer and we have just as many different results. A moral theory states action-guiding principles, much like a theory of the right. Whereas a theory of the right questions what it is one ought to do, a moral theory more specifically tries to argue what it is one ought to do for the sake of something valuable.<sup>49</sup> Both the orthodox and dissent have argued the answer is preservation, yet their differences depend on the meta-ethics of Hobbes. The orthodox argue that one’s preservation is a hypothetical imperative, based on one’s arbitrary opinion of one’s need to survive, whereas dissent have argued that one’s preservation is imperative, always, independent of one’s subjective opinion.

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<sup>45</sup> Authors who have applied rational choice theory to explain Hobbes’s political and moral writings include Gauthier, *Logic of Leviathan*; Hampton, *Social Contract Tradition*; Kavka, *Hobbesian Moral and Political Theory*; and Hardin, ‘Hobbesian Political Order’.

<sup>46</sup> Kavka, *Hobbesian Moral and Political Theory*, 340

<sup>47</sup> *ibid.*

<sup>48</sup> Rawls, *Lectures on Political Philosophy*, 23

<sup>49</sup> See chapter 1 section I.

Both interpretations make a link between Hobbes's theory of the good and his moral theory: the orthodox think a subjective moral theory depends on one's subjective value for one's preservation, whereas dissent argues an objective moral theory depends on a moral objective value. I argue Hobbes's moral theory does not depend on any particular value; instead, morality depends on certain facts. Hobbes is a moral factualist.

That fact is man's natural ability to desire. Not only are all people *capable* of desiring, all people in fact do desire some things at all times. One does not need to desire their preservation to make the laws of nature 'true'; rather, one simply ought to desire some thing(s). One's preservation is a necessity, because one can only enjoy those things which one desires alive. By executing the laws of nature at the appropriate time, creating and fostering peace, one can increase one's chances to survive dramatically. The laws of nature preach obedience, which enables the enjoyment of the goods that peace brings, such as the arts, culture, and society in itself. There might be people that have 'transcendental' values – those who value the afterlife over the present life, but Hobbes believes this irrational since one cannot have any knowledge of what the afterlife might bring. Moreover, Hobbes has one advice which he derives from Scripture, and in line with reason, which argues there is only one way to reach the ports of Heaven, which is obedience to the temporal powers, in effect, to the sovereign. As such, no matter what one desires, be it material, sports, arts, or one's salvation, obedience is the sole way to achieve those desires.

Hobbes's determinism describes people as self-interested. That is not necessarily egotistical, but it does mean one necessarily acts according to one's self-defined interests, which may well be benevolent. Bramhall believes, as many do, that necessity (determinism) and moral responsibility are contradictory.<sup>50</sup> Hobbes disagrees: even the content of one's determined nature, as self-interested, poses no problem to Hobbes's ability to formulate a moral theory.<sup>51</sup> One's autonomy or the interests that one's acts serve are not the grounds on which one can judge a person moral or immoral. Instead, Hobbes argues the intentions underlying one's acts are.

As such, even those that act contrary to the written law promulgated by the sovereign *can* act morally just, which shows that there is a two-tiered system of justice in Hobbes, which marks 'a distinction between morality and legality'.<sup>52</sup>

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<sup>50</sup> Bramhall in LN, §6

<sup>51</sup> See chapters 7-8

<sup>52</sup> Hood, *The Divine Politics*, 196

|                        | <b><i>Legality</i></b> | <b><i>Morality</i></b>      |
|------------------------|------------------------|-----------------------------|
| <i>Obligation</i>      | In foro externo        | In foro interno             |
| <i>Crime or sin</i>    | Crime                  | Sin                         |
| <i>Law</i>             | Civil                  | Natural                     |
| <i>Source</i>          | Sovereign              | God/Reason                  |
| <i>For the sake of</i> | Nature's Preservation  | Salvation                   |
| <i>Power</i>           | Temporal               | Ecclesiastical              |
| <i>The aim</i>         | Peace                  | Salvation                   |
| <i>Means</i>           | Obedience              | To have faith (= obedience) |

*Table 1:* The morality/legality distinction

The distinction between morality and legality shows in different obligations and related violations, which relate to violations of the different laws, with different sources, done for the sake of different aims, which, however different, are achieved through similar means: obedience. Hobbes's Protestant Calvinism is 'honest', as Martinich shows, which translates into the different objects of our desires: one committed to a (commodious) life here on earth versus one's salvation. The latter is usually seen as achievable through obedience to God's commands. Not so for Hobbes: there is no Divine source for one's commitment – one does not sin, as Hood thought,

when one acts against one's conscience.<sup>53</sup> Instead, to sin is to act against the obligation to use reason; and reason commands obedience to temporal powers *up to the point where one's life is not at stake*.

Hobbes's Moral Factualism relies on an objective fact instead of an objective value, though the objective fact is the subjective faculty of being able to desire, which in part explains why the two dominant readings on Hobbes can find sufficient passages to fit their interpretations. The orthodox rely on the subjective ability to desire but have a problem understanding the natural law aspect in Hobbes – a law that is by definition natural and supposed to transcend an arbitrary opinion, a theory that is eternal and immutable and obliges all. Dissent does have an answer to the eternal nature of the law of nature, but has a problem dealing with the many references to desires as the foundation of Hobbes's moral theory, which is the knowledge of '[c]onsequences from the *passions* of men', and Hobbes's argument that rational *guided* thought has its origins in desires. My interpretation disconnects the moral from the good and instead argues that morality depends on facts, which enables a defence of a subjective theory of the good and an objective moral theory.

Those facts are not identical to mathematical facts: they are not man-made. They are, in that respect, like biological and chemical facts: written by nature. However, the method of discovery for the moral sciences differs from the natural sciences; the latter depends on an inductive method, the former on an introspective method. The two axes that Hobbes describes – the author on the one hand, and the requirements of the definitions on the other – explain the reference to four sciences:

| Cause / Author      | Man              | Nature           |
|---------------------|------------------|------------------|
| Efficient           | Geometry         | Natural Sciences |
| Efficient and Final | Civil Philosophy | Moral Philosophy |

Table 2: Organisation of the sciences

Firstly, Geometry and civil philosophy deal with man-made constructs; the natural and moral sciences deal with natural objects. And secondly, geometry and natural science suffice with

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<sup>53</sup> Martinich, Protestantism in *Leviathan*'; Hood, *The Divine Politics*, 213



definitions that describe the efficient cause of the objects observed, which will not suffice for the civil and moral sciences given they need a final cause to make sense. Solely referring to 'using one's reason' or 'giving up one's right' only partly explains what the civil and moral sciences are about, and will only make sense once one describes that one does so for the sake of peace, one's preservation, and/or a commodious life.

Hobbes's moral theory is objective in the sense that the objects are not man-made: they are God-given, natural; yet, it is subjective in the sense that morality is intelligible only once people exist that have the ability to desire things. As long as one can desire (and Hobbes believes all people in fact do) one ought to act according to the laws of nature. And so we come back to Kavka's statement that 'the laws of nature prescribe certain kind of acts that *in fact* tend to promote preservation, whether or not the agent is aware of this'; the law of nature is, as Rapaczynski notes, 'a statement of the *fact* that what men, by their reasoning, view as conducive to their security'.<sup>54</sup> This division between moral truths that are independent of *particular* values, in other words applicable to all, versus moral truths that are however not 'cosmic' – that do not pre-date humanity – is reminiscent of today's moral theories, especially Railton's moral realism which he dubs moral factualism. Hobbes's moral theory, like Railton's, is naturalist, mind-independent, yet not cosmic (objective *and* subjective in Wiggins' sense). This is why Hobbes is, like Railton, a Moral Factualist.

## V. Chapter by chapter overview

This thesis is more or less divided into three parts: meta-ethics, politics, morality. I do so because to start with morality will not do: Hobbes is a traditional moral philosopher when it comes to applied ethics. Sorell points out that Hobbes could just as easily have summarised his thought in the words 'the laws of nature are precepts which tend to one's preservation'.<sup>55</sup> Yet, the laws of nature describe the norms one has to adhere to, to create the right social settings for peace, which is a subset of prescriptions which tend to one's preservation, not the complete set.<sup>56</sup> The characterisation that Hobbes rather gives to the set of natural laws is the Golden Rule, though he does degrade it to a Copper Rule since it shines less brightly due to its negative character.<sup>57</sup>

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<sup>54</sup> Kavka, *Hobbesian Moral and Political Theory*, 340; Rapaczynski, *Nature and Politics*, 41.

<sup>55</sup> Sorell, 'Hobbes's Moral Philosophy', 128

<sup>56</sup> In *Leviathan*, 'to drink till one dies' is not against the law of nature. In *De Cive* it is. See pages 21-22 of this thesis.

<sup>57</sup> 'Copper Rule' taken from Kavka, *Hobbesian Moral and Political Theory*, 347.

Hobbes employs the age-old 'Golden Rule' because the laws of nature might seem a long litany of rules, yet, they can be understood by all, reminiscent of the Golden Rule, which is still a widely used and readily understood summary of the moral law. Hobbes acknowledges the likeness of the contents of his interpretation of the moral law compared to the ancients – Aristotle and Plato – and more recent moral philosophers, as 'they acknowledge the same virtues and vices'.<sup>58</sup> One of those more recent authors is Erasmus, who describes similar precepts for reciprocity to Hobbes's advice to grant mercy to those who violate the laws or mores of what is deemed appropriate among individuals. Erasmus argues it is wise to 'readily ignore the faults of others but avoid falling short yourself'.<sup>59</sup> Hobbes would agree with these words written just over a century before his moral and political writings:

To encourage inferiours, to be cheerefull with ones equals & superiors, to pardon the follies of them one converseth withal, & to help men of, that are fallen into y<sup>e</sup> danger of being laught at, these are signes of noblenesse & of the master spirit. Whereas to fall in loue with ones selfe vpon the sight of other mens infirmities, as they doe that mock & laugh at them, is the property of one that stands in competition with such a ridiculous man for honor.<sup>60</sup>

Hobbes does not contradict the many prescriptions so-called moral philosophers offered before him. In other words, the contents of Hobbes's morality are not revolutionary distinct from what came before.<sup>61</sup> He rather disagrees with the metaethical foundations, especially Aristotle's and Plato's views are subject to criticism. They find the moral laws 'in a mediocrity of passions (as if not the cause, but the degree of daring, made fortitude; or not the cause, but the quantity of a gift, made liberality)'.<sup>62</sup> The ancients incorrectly argued acts were judged morally good because of a *telos* or an ultimate good, yet 'there is no such *finis ultimus*, utmost aim, nor *summum bonum*, greatest good, as is spoken of in the books of old moral philosophers'.<sup>63</sup> In short, the first five chapters of this thesis discuss the metaethical underpinnings of Hobbes's moral theory by

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<sup>58</sup> L 15.40

<sup>59</sup> Erasmus, *Good Manners*, Introduction

<sup>60</sup> CORR vol.1, letter 28, 52

<sup>61</sup> Sorell gives a great overview of the many similarities between Hobbes's laws and Christian virtues in 'Hobbes's Moral Philosophy'.

<sup>62</sup> L 15.40

<sup>63</sup> L 11.1

defining 'the good', 'the moral', the relation between the two, and in what respect Hobbes's moral theory is objective yet remains subjective in one other respect.

The first chapter describes a subjective theory of the good followed by an objective moral theory that are present throughout Hobbes's works. I argue that these can work together. The chapter also sets the tone for the questions that the following chapters will deal with. The second chapter argues that Hobbes's objective moral theory does not depend on objective values but on non-moral facts instead – on man's ability to reason and man's ability to desire. People always desire something. Though I have used 'objective' and 'subjective' in a 'common sense' sort of way up till then, here I define objectivity and subjectivity along Wiggins' two dichotomies: Hobbes's moral theory is objective *and* subjective. Whereas the orthodox will argue that the 'truth' of the laws of nature depend on subjective desires, from which a man-made true law of nature can be derived, I argue in the third chapter that Hobbes does not think morality depends on man-made moral concepts. Even though people believe Hobbes is a nominalist who argues that 'truth, and a true proposition, is all one', I argue that this does not make him a nominalist: Hobbes argues moral truths depend on something besides man's will.<sup>64</sup> That morality is man-made often goes hand in hand with the notion that all sciences, including the moral sciences, ought to look like the most certain of sciences, geometry. The third and fourth chapters argue against this 'system of thought' that is supposed to be near-identical across the various sciences. The third chapter shows the first difference between geometry and morality, which is their respective authors: man versus nature. The fourth chapter explains that mathematics, also, does not depend wholly on man-made concepts and definitions, since definitions have to live up to certain criteria, which is the inclusion of an efficient cause. Proper definitions ought to describe how one can generate, for instance, a circle, or a triangle. Moral science has one more criterion, which is the inclusion of a final clause. The first four chapters thus consequently deal with the requirements of a moral theory; Hobbes's definition of the good, the moral, and their relationship; morality's objectivity *and* subjectivity; and, how the objectivity of morality changes the alleged uniform method of finding truth across the sciences. Instead, there is a difference between geometry and the moral sciences from which it becomes obvious that moral science 'rests upon its own principles known by reason'.<sup>65</sup>

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<sup>64</sup> EL 5.10

<sup>65</sup> DCv Preface, 19

The fifth chapter focuses on Hobbes's political theory. I argue against the notion that Hobbes is a moral conventionalist. The inclusion of morality's final clause that directs all to nature's preservation is not up for debate. One recent debate argues that there is one more moral benchmark against which the sovereign can be held accountable, which is equity. As such, people are not just able to hold the sovereign accountable for justice – their security – but for an equitable treatment also. I disagree: I believe the eleventh law of nature that 'commands' equity to be a non-fundamental law of nature. The fundamental law of nature is the first and only the first law of nature, which includes in its definition the final clause as explained in the previous chapter, which aims for nature's preservation. All other laws of nature are non-fundamental, and derive their truth by maintaining the final clause as laid out in the fundamental natural law. As such, the eleventh law of nature does not command a new value; rather, it maintains the one and only value present in all laws of nature, which is preservation.

The final three chapters discuss the question what Hobbes's moral theory does look like; how does Hobbes distinguish between the moral and the immoral? Chapter six shows it is not the interest we serve, as I believe that nature's preservation is a universal answer to the questions raised in the moral sciences, instead of a private or a communal interest specifically. Whenever one aims for peace, which promotes nature's preservation, all benefit – there is no collateral damage. Hobbes argues that his moral science is a science in itself, from which his objective mind-independent theorems' truths are derived. They do not start from any particular interests; instead, morality is based on the universal ability to desire. Morality is not concerned with anyone's interests – morality provides universal answers. Because morality is based on that universal ability to desire, it does explain why moral answers closely align with people's interests. However, they are not strictly speaking the same. Chapter seven argues that Hobbes does not believe his determinism, or his tautological egoism, stop him from formulating a moral theory. What distinguishes the moral from the immoral are the intentions underlying one's acts. To act with the wrong intentions is to sin. In the eight and final chapter I argue that 'sin' is a Christian concept, however, the ability to sin, according to Hobbes, is not a Christian act *per sé* – to sin is to act against reason. So why use such a Christian concept; why use the ability to sin? I argue that the role of God in Hobbes's theory is rather rhetorical. God is used to convince those who are not yet convinced by reason alone. Hobbes does so with an ingenious move. Those who believe the afterlife has more to bring than their earthly life have few reasons to act according to the laws of nature, in effect, to be obedient. Hobbes, however, manages to equate the path to eternal salvation with our earthly obligations. In Protestant fashion, Hobbes argues that only the elected

few will have received the Divine gift of grace; they will show signs of being one of the elect through faith. How does one show one has faith? Through obedience. As such, all are obliged to remain obedient.

## CHAPTER 1 – A MORAL THEORY INDEPENDENT OF A THEORY OF THE GOOD

Debates on Hobbes's moral philosophy are focused on questions of subjective versus objective theories of the good, defended, respectively, by orthodoxy and dissent. The two opposing camps have found their most famous and ardent supporters in esteemed thinkers, such as orthodox interpreters Hampton, Nagel, Kavka, and Watkins, versus dissent's deontologists Taylor, Warrender, Hood, and Martinich. As the introduction to this thesis shows, their disagreement centres on several widely divergent understandings about Hobbes's philosophy, such as whether he has a pseudo moral theory versus a deontological moral theory similar to Kant; a moral theory *dependent* upon man's psychology versus theories *independent* of any one's psychology; and the sovereign's ability to rule with or without moral boundaries. The many discussions and positions taken together currently offer papers that 'tease a limited deontological theory of morals out of Hobbes', which try to ensure each side of the argument gets its 'fair' share and recognition.<sup>1</sup> Yet, the discussion has been misguided; it assumes Hobbes's moral theory – either subjective or objective – is linked with his theory of the good. This thesis argues Hobbes is a moral factualist whose moral theory is independent of his theory of the good and vice versa.

The debate on Hobbes's moral theory so far incorrectly focuses on his theory of the good and consequently applies it to his moral theory. Orthodox interpreters argue Hobbes defends a subjective theory of good, which he consequently applies to his subjective prudential moral theory. Dissent interpreters believe Hobbes defended an objective good since his moral theory is made up of objective categorical imperatives. However, this thesis argues Hobbes's moral theory is not connected to his theory of the good; rather, his moral theory is concerned with factual matters on desires and one's ability to enjoy those desires, which fall outside the scope of his theory of the good. Hobbes does not think facts about morality ought to be considered good or evil since a fact is indisputably true. One could of course judge a fact valuable, or invaluable, but such a value judgement does not influence the moral fact's status as fact. The truth of a moral proposition is dependent on certain features of this world, which in Hobbes's case, refer to the extent an act aids nature's preservation. What makes an act moral is therefore part of the objective world — it is 'out there', independent of one's desires and preferences subjectively 'in here'. The moral is therefore unlike Hobbes's theory of the good. The good exists dependent on one's judgement of an object or act as good: one's judgement *makes* it good. A fact, however, is

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<sup>1</sup> Harvey, 'Limited Deontological Theory'

true independent of one's judgement. Judging a fact as either good or bad makes as much sense as judging the fact the earth is an oblate spheroid good or bad *as fact* – it is nonsense. It is certainly good in the sense that it makes life possible and makes many of our theories concerning the universe valid. However, our feelings and dispositions concerning the earth's shape do not influence its shape. Likewise, one's particular desire for one's preservation does not make the law of nature true – and, by extension, obligatory – even though many people will agree that their survival is valuable. Instead, the law of nature is true and obligatory independent of one's desire for one's preservation.

This thesis argues that the orthodox interpreters are right to argue that the laws of nature remain dependent on man's psychology, yet they fail to understand that the laws of nature are facts, which have a truth-value independent of subjective beliefs and opinions. Deontological interpreters are right to argue that there is an objective nature to Hobbes's moral theory, but incorrectly separate Hobbes's moral theory from his psychology. Doing so enables deontologists to argue the laws of nature are objective *values*, whereas Hobbes's moral certainties are based on *facts*. Hobbes is a moral factualist, not a deontological ethicist. This chapter, specifically, shows Hobbes's 'usual' moral theory, which closely aligns with the Golden Rule, is the result of one 'unusual' move: Hobbes's moral theory is independent of his theory of the good. Hobbes's theory of the good is namely subjective; his moral theory is objective nonetheless.

### **I. Why most believe the good equates the moral**

I argued in the introduction of this thesis that a moral theory offers 'a code of conduct that, given specified conditions, would be put forward by all rational persons'.<sup>2</sup> This definition is only partly correct because not all rational conduct is automatically moral. For instance, I currently crave a muffin. One rational way of going about this desire is to walk to the kitchen and eat the muffin I bought an hour ago in anticipation of my cravings. Given I have no diabetes to worry about, no relevant allergies, and no supper waiting within a reasonable time, I will assume that the specified conditions are such that all rational persons given the specified conditions would act similarly: eat the muffin. However, such rational conduct is not automatically moral conduct. Morality is thus rational conduct of specific behaviour. The 'specific' refers to an act done for the sake of 'the good', which explains why contemporary moral theories view the good and the moral as synonymous, or at least closely connected. A theory of the good describes what has value in this

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<sup>2</sup> Gert, *Morality*, 14

world. Whatever one's view of the good, a moral theory accordingly transforms the good in an action-guiding principle, making the link between the good and the moral explicit.<sup>3</sup> Both the orthodox and dissent interpretations show how. Orthodoxy argues that Hobbes's moral theory tells 'one ought to x, *if* one values one's y', and dissent argues that Hobbes's moral proposition shows 'one ought to x *given* one's y has value'. In both the orthodox and dissent case, one is advised or commanded to do x, given the value of y. It is important to note that the subjective or objective nature of Hobbes's laws of nature that distinguish the two dominant interpretations is irrelevant. Rather, it is important to see that there is no need to believe that one's moral theory and one's theory of the good are necessarily related. It is the mistaken link between the two theories I focus on.

Both orthodoxy and dissent defend the idea that one's moral theory offers a code of conduct – an action-guiding principle – that relates to one's view of the good, which is an accepted view across the spectrum. The 'mistake' is understandable since most moral theories *do* depend on a theory of the good. Utilitarians will argue that one ought to do x to increase or achieve y, with y being the object one defines as valuable. Rawls' *Theory of Justice* argues that 'justice is the first virtue of social institutions', and consequently devises a moral (and political) theory that shows how one can achieve more just decisions.<sup>4</sup> Even different accounts of what 'value' is do not affect the common view that there is a link between one's theory of the good and one's moral theory. A utilitarian argues that that which has some utility to someone has value; a deontologist would argue that it is not the consequences of one's acts that make the act valuable, it is rather the act's conformity to a valuable maxim. Both could argue that telling the truth is valuable, yet according to a utilitarian this is because the consequences of telling the truth are more beneficial than lying; according to a deontologist, telling the truth is valuable because one ought to 'act only according to that maxim whereby you can at the same time will that it should become a universal law without contradiction'.<sup>5</sup> One's moral theory is dependent on one's theory of the good, and vice-versa, since a change in one's view concerning the way we operate morally influences the requirements of what it is one ought to pursue according to one's theory of the good.

For example, imagine one argues that there are only two propositions that underline the moral action-guiding proposition that 'one ought not to kill'. The first states (a) life has value and

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<sup>3</sup> Hare, *The Language of Morals*

<sup>4</sup> Rawls, *Theory of Justice*: quote see page 3; moral theory see §9

<sup>5</sup> Kant, *Grounding for the Metaphysics of Morals*, 30



the second states (b) to choose and pursue one's own ends without the involuntarily meddling of others is also valuable. If one were to argue differently, and would state that (a') life has *no* value, and (b') that it is alright for individuals to treat others merely as means, one's moral theory would have to change accordingly. One would have to refute the sentence 'one ought not to kill'. One ought to do so because the moral action-guiding principle that states one ought not to kill is deduced from one's statements that (a) life and (b) autonomy have value. If one changes the premises into (a') and (b'), which show both life and autonomy have *no* value, one's moral action-guiding principles will have to change accordingly. In this case, the moral action-guiding principle is thus dependent on a theory of the good. Whereas a moral theory describes *how* one ought to act morally just, a theory of the good provides *what* it is one ought to pursue.

A theory of the good describes what has value in the world; a moral theory prescribes what one ought to do to fulfil or achieve that good. More specifically, it prescribes what one ought to do *for the sake of the good*. A moral theory therefore differs from a theory of the right which answers the question 'what action ought one to do?' Though a theory of the right also leads to an action-guiding principle, it does not necessarily lead to a morally acceptable position, or a moral imperative for that matter. If I were to ask my political advisor what I ought to do to keep my subjects in awe, chances are that my theory of the right will lead to a different answer than my moral theory.<sup>6</sup> The difference is explained in a moral theory's inclusion of a theory of the good. Both moral theories and theories of the right are action-guiding principles, though theories of the right do not necessarily prescribe a morally acceptable course of action, which moral theories do, given the inclusion of a theory of the good.

## II. Hobbes's subjective theory of the good

While defending different interpretations of Hobbes's theory of the good, both orthodoxy and dissent argue in a similar fashion: Hobbes's alleged theory of the good provides the content of his moral theory. Orthodox authors read a subjective theory of the good, and consequently argue Hobbes defended a prudential moral theory that merely proposes hypothetical imperatives;

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<sup>6</sup> Machiavelli separates the good from the right most clearly in *The Prince* when he argues that a political ruler sometimes has to govern with a strong hand in order to frighten the people for the sake of stability. In other words, the consequences (peace) provide an excuse for otherwise immoral means. This is not necessarily true according to all. Plato, for instance, argues in *The Republic* (page 71) that 'nothing good is harmful'. In other words, the good is either the equivalent or at least a subset of the right.

deontological authors read an objective theory of the good, which paves the way for categorical moral imperatives.

When looking at Hobbes's moral theory you are forced to look at the law of nature, which dictates 'convenient articles of peace'.<sup>7</sup>

A law of nature, (*lex naturalis*), is a precept, or general rule, found out by reason, by which a man is forbidden to do that which is destructive of his life, or taketh away the means of preserving the same, and to omit that by which he thinketh it may be best preserved.<sup>8</sup>

As argued in the introduction, the commanding force of this natural law is not properly a law; it is merely an advice, according to orthodoxy, founded on the belief that Hobbes defends a strictly personal subjective theory of the good in which all that has value is what is actually valued. The good is a human construct as opposed to a good *in itself* and dependent on the person judging. Orthodox interpreters believe Hobbes to have such a subjective theory of the good and consequently argue that *therefore* he defends a subjective theory of morality.<sup>9</sup>

It is no surprise that many believe Hobbes defends a subjective theory of the good given the following passages, which undoubtedly point in a subjective direction; they show that 'good' is equivalent to one's desires in a state of nature whereas in a commonwealth 'the good' is that which the sovereign defines as such, supplemented with private opinions concerning the good where the law remains silent:

1) Every man, for his own part, calleth that which he pleaseth, and is delightful to himself, *good*; and that *evil* which *displeaseth* him...And as we call good and evil the things that please and displease; so call we *goodness* and *badness*, the *qualities* or powers whereby they do it.<sup>10</sup>

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<sup>7</sup> DCv 3.31: 'All authors agree that the natural law is the same as the moral law'; quote, see L 13.14

<sup>8</sup> L 14.3

<sup>9</sup> Authors who have argued this link explicitly are: Boonin-Vail, *Science of Moral Virtue*; Gauthier, *Logic of Leviathan*, and 'Thomas Hobbes: Moral Theorist'; Kavka, *Hobbesian Moral and Political Theory*; Skinner, *Reason and Rhetoric*; Hampton, *Social Contract Tradition*; Lukac de Stier, 'The Notion of Good'; Shelton, *Morality and Sovereignty*; Wartkins, *System of Ideas*.

<sup>10</sup> EL 7.3

2) *That every private man is judge of good and evil actions.* This is true in the condition of mere nature, where there are no civil laws, and also under civil government, in such as are not determined by the law.<sup>11</sup>

3) One must recognize that *good* and *evil* are names imposed on things to signify desire for or aversion from the things so named. Men's desires differ, as their temperaments, habits, and opinions differ; one may see this in the case of things perceived by the senses, by the taste, for instance, or by touch or smell, but it is much more so in everything to do with the ordinary actions of life, where what one man *praises*, i.e. calls *good*, the other *abuses* as *bad*; indeed the same man at different times *praises* or *blames* the same thing.<sup>12</sup>

4) But whatsoever is the object of any man's appetite or desire, that is which he for his part calleth *good*; and the object of his hate and aversion *evil*; and of his contempt, *vile* and *inconsiderable*. For these words of good, evil, and contemptible, are ever used with relation to the person that useth them: there being nothing simply and absolutely so; nor any common rule of good and evil, to be taken from the nature of the object themselves; but from the person of the man, where there is no commonwealth; or, in a commonwealth, from the person that representeth it.<sup>13</sup>

5) Aristotle and other heathen philosophers define good and evil by the appetite of men; and well enough, as long as we consider them governed every one by his own law. For in the condition of men that have no other law but their own appetites, there can be no general rule of good and evil actions.<sup>14</sup>

6) Of all voluntary acts the object is to every man his own good; of which, if men see they shall be frustrated, there will be no beginning of benevolence or trust.<sup>15</sup>

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<sup>11</sup> L 29.6

<sup>12</sup> DCv 3.31

<sup>13</sup> L 6.7

<sup>14</sup> L 46.32

<sup>15</sup> L 15.16

7) And therefore so long as a man is in the condition of mere nature (which is a condition of war) private appetite is the measure of good and evil.<sup>16</sup>

Hobbes thus proposes a subjective relational theory of the good in which private appetite is the measure of good and evil because the only mind-independent features of an object are its extents. Since 'that which is not body, is no part of the universe'<sup>17</sup>, it follows all things which exist independent of our mental world have to be made up of matter, and all that we imagine has its origins from an object corporeal.<sup>18</sup> These passages show virtue and vice are not bodies, according to Hobbes; they are mind-dependent 'seemings and apparitions only', as 'accidents or qualities our senses make us think there be in the world, [however,] they are not there'.<sup>19</sup> Given they are not made up of matter, they are secondary qualities: they are mind-dependent apparitions, such that the 'colour and image may be there where the thing seen is not'.<sup>20</sup> The colour and the very image we have of the object are examples of secondary qualities and therefore similar to our judgments of what is virtuous or vicious. Secondary qualities explain such mistakes as to picture 'two candles for one, which may happen by distemper, or otherwise without distemper if a man will'.<sup>21</sup> People have images of objects; yet, all that can be deduced accordingly is that there is *an* object, which causes the internal motion, but one cannot determine the '[c]olour, heat, odour, virtue, vice, and the like', of these objects given they are secondary qualities — qualities dependent upon the individual's temper.<sup>22</sup>

Primary qualities *cause* the motions from which we can deduce the idea that those primary qualities are actually 'out there'. Because secondary qualities – like colours, heat, and our judgement of what is virtuous and vicious – are not 'out there', objects and acts are interpreted differently, dependent on our 'tempers, customs and doctrines'.<sup>23</sup> A motion already in us thus causes the secondary qualities that we ascribe to objects and ideas, so too for our judgment concerning good and evil:

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<sup>16</sup> L 15.40

<sup>17</sup> L 46.15

<sup>18</sup> DeCorp 8.1: Hobbes argues 'a body is that, which having no dependence upon our thought, is coincident or coextended with some part of space'. For a similar remark, see EL 2.10.

<sup>19</sup> EL 2.10

<sup>20</sup> EL 2.5

<sup>21</sup> *ibid.*

<sup>22</sup> DeCorp 8.3

<sup>23</sup> L 15.40; Darwall argues similarly in 'Normativity and Projection', 319-320.

8) *Good and evil* are names that signify our appetites and aversions; which in different tempers, customs and doctrines of men, are different...Nay, the same man, in divers times, differs from himself; and one time praiseth, that is, calleth good, what another time he dispraiseth, and calleth evil: from whence arise disputes, controversies, and at last war.<sup>24</sup>

All that is *defined* as good is based on an arbitrary imposition of the name 'good'; our judgements of an object's goodness are based on the individual's appetite towards the object. Hobbes realises that our tempers and appetites differ between individuals and believes this to be detrimental to a state of nature — that state of affairs where no political power is strong enough to keep all its subjects in awe. Hobbes believes such a state of nature to be a state of war, *by definition*, caused not necessarily by grave differences between people, but rather because of 'trifles, as a word, a smile, a different opinion, and any other sign of undervalue'.<sup>25</sup> In a commonwealth the ability to judge things either good or bad is transferred to the sovereign, who is the only one allowed to make such judgements given that the many will not be able to agree, however trivial the differences may be.<sup>26</sup>

All what we call good is relational, irrespective of any supposed objective goodness. More precisely, one has to say that to call something good shows one believe it to be pleasant to them, and them alone. Of course, someone else can value an object in the same manner as someone else might do. In that case the object has value to more than one. However, at no point can one's judgment of an object *make* the object good for others. One's judgment pertains only to one's self. Hobbes's application of the relational aspect of the good can be found even in relation to God:

9) insomuch that while every man differeth from another in constitution, they differ also from one another concerning the common distinction of good and evil. *Nor*

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<sup>24</sup> L 15.40

<sup>25</sup> L 13.7

<sup>26</sup> L 18.9; Literature that emphasises the role of the sovereign as the great arbitrator concerning those affairs people cannot agree on, see Pettit, *Made with Words*, 142; Wolin, *Politics and Vision*, 260; Tuck, *Hobbes*, 152; and Blau, 'Hobbes on Corruption', 611.

*is there any such thing as absolute goodness considered without relation: for even the goodness which we apprehend in God Almighty, is his goodness to us.*<sup>27</sup>

Hobbes is keen to use God's word to defend a subjective relational theory of the good. Those that do think they understand what good and evil is claim sovereignty, however, '*Just and unjust* did not exist until commands were given; hence their nature is relative to a command; and every action in its own nature is indifferent'.<sup>28</sup> One's judgment is not of importance to others as it is not the sort of knowledge that is universal. Those who do believe that their judgment is of importance to anyone but themselves have a 'pretence of right' and 'aspire to be as Kings'.<sup>29</sup> When this happens 'the commonwealth cannot stand'.<sup>30</sup>

Hobbes's defence of a subjective theory of the good depends on a *value* scepticism — not a moral scepticism. Darwall is right to point out that Hobbes at no point equates 'the good' with 'having a desire' or an appetite. Rather, 'He says that what we desire we *call* good'.<sup>31</sup> As such, Hobbes might still believe that there are *true* beliefs, independent of one's level of attraction. However, Hobbes's value scepticism comes to the fore when he argues that we have no knowledge of any 'common rule of good and evil, to be taken from the nature of the object themselves'.<sup>32</sup> All we are left with are subjective interpretations of the good derived from one's desires. As argued just now, whenever private men claim their interpretation transcends such a subjective good, whenever they 'claim for themselves a knowledge of *good* and *evil*, they are aspiring to be as Kings', which opposes the main conclusion of all of Hobbes's work, which is: avoid disagreement at all costs.<sup>33</sup> Hobbes does elsewhere in *De Homine* argue that there are *real* and *apparent* goods, yet I will argue that these objective values are not the foundation of Hobbes's moral theory.<sup>34</sup> Real goods, too, do *not* make for a good that one ought to aim for.

Hobbes's subjective relational theory of the good is present throughout his works. According to orthodox authors, Hobbes's consequent moral theory is an effect of that subjective theory of the good. The link between one's theory of the good and one's moral theory appears

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<sup>27</sup> EL 7.3

<sup>28</sup> DCv 12.1

<sup>29</sup> EL 27.1; DCv 12.1

<sup>30</sup> DCv 12.1

<sup>31</sup> Darwall, 'Normativity and Projection', 327

<sup>32</sup> L 6.7

<sup>33</sup> DCv 12.1

<sup>34</sup> See chapter 2, sections I and II.

throughout the literature on Hobbes, for instance in Wiggins' work on ethics in general, and in Hampton's and Lukac de Stier's work specifically on Hobbes.

Hampton devotes a specific section on Hobbes's subjectivist's moral views, titled 'The Way in which Hobbes's Moral Views are Subjectivist'.<sup>35</sup> Its first sentence immediately assumes the link discussed: 'A moral subjectivist has a subjectivist theory of value'. Offering various examples of subjective moral theories, Wiggins places Hobbes in the same strand of subjective moral theorists by simply citing Hobbes's theory of the good.<sup>36</sup> Lukac de Stier defends the necessary relation between one's theory of the good and one's moral theory by arguing that Hobbes has a subjective theory of the good since 'there is no ontological basis for good'.<sup>37</sup> An ontological emptiness concerning value means that 'there cannot exist a normative order for good and evil prior to man's will'<sup>38</sup>, which means 'its determination depends entirely on human will'.<sup>39</sup> This is consequently connected to Hobbes's moral theory, arguing that, 'it is obvious that we cannot speak of natural morality in Hobbes'.<sup>40</sup> Lukac de Stier argues one cannot speak of natural morality in Hobbes *because* the good is a human construct and a moral theory is a product of that construct.

If the links between one's theory of the good and one's moral theory are indeed as strong as Hampton, Wiggins, and Lukac de Stier describe, then a subjective theory of the good necessitates a prudential moral theory. Such a moral theory states that, 'the prescriptions [of the laws of nature] are conditional on, and justified by, your interest in self-preservation'.<sup>41</sup> Only *if* one (subjectively) prefers survival ought one to (prudentially) execute the laws of nature. Since there is no objective good or obligation, one has to rely on subjective preferences as the foundation of obligations. Obligations are not objectively *out there*; rather, 'it is *submission* that creates the obligation'.<sup>42</sup>

If natural laws are neither transcendent, nor immanent in legal systems, but are nevertheless some kind of imperative...then natural laws must be hypothetical

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<sup>35</sup> Hampton, *Social Contract Tradition*, 34-42

<sup>36</sup> Wiggins, *Ethics*, 370-371

<sup>37</sup> Lukac de Stier, 'The Notion of Good', 95

<sup>38</sup> *ibid.*, 97

<sup>39</sup> *ibid.*, 95

<sup>40</sup> *ibid.*, 97

<sup>41</sup> Curley, Introduction to L, viii-lxxvii

<sup>42</sup> Ryan, 'Hobbes and Individualism', 91; Similar claims appear in Finkelstein, 'A Puzzle about Hobbes', 334-338; and Parry, 'Performative Utterances', 246-252.

imperatives deduced from psychological premises, teaching us what we must do if we are to consistent with our own nature.<sup>43</sup>

The nature of self-imposed obligations plays into the orthodox reading which believes no duty exists besides self-imposed obligations. Hobbes argues that

when a man hath in ether manner abandoned or granted away his right, then his is said to be OBLIGED or BOUND not to hinder those to whom such a right is granted or abandoned from the benefit of it; and that he *ought*, and it is his DUTY, not to make void that voluntary act of his own, and that such hindrance is INJUSTICE, and INJURY, as being *sine jure* [without right], the right being before renounced or transferred.<sup>44</sup>

All obligations are self-imposed, including the civil law promulgated by the sovereign.<sup>45</sup> According to Schochet, 'the central axiom of *Leviathan*...is that political obligation is a product of will'.<sup>46</sup>

A subjective theory of the good that makes for *hypothetical* imperatives the orthodox also deduce from the right of nature that everyone enjoys in a state of nature. The right of nature 'is the liberty each man hath to use his own power, as he will himself, for the preservation of his own nature, that is to say, of his own life'.<sup>47</sup> This liberty is absolute, because law and right are each other's opposites, and Hobbes argues that a state of nature is a state of liberty.

because RIGHT consisteth in liberty to do or to forbear, whereas law determineth and bindeth to one of them; so that law and right differ as much as obligation and liberty, which in one and the same matter are inconsistent.<sup>48</sup>

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<sup>43</sup> Watkins, 'Philosophy and Politics in Hobbes', 249

<sup>44</sup> L 14.7

<sup>45</sup> See introduction for the contradiction that is 'not willing to execute the civil law' (EL 16.2). Commentators who have argued all obligations are man-made are Parry, 'Performative Utterances', 246; Ryan, 'Hobbes and Individualism', 91; and, Skinner, *Hobbes and Republican Liberty*, 45.

<sup>46</sup> Schochet, 'Intending (Political) Obligation', 57

<sup>47</sup> L 14.1

<sup>48</sup> L 14.3



One's natural liberty is a state of license, where no natural law could exist since liberty and law are inconsistent. The state of nature is a state of war where 'every man has a right to every thing, even to one another's body'.<sup>49</sup> Hobbes clarifies his position when he argues that the act of covenanting, when one decides to (partly) give up one's liberty, shows 'both our *obligation* and our *liberty*...there being no obligation on any man which ariseth not from some act of his own'.<sup>50</sup> It is a *man-made* contract that obliges and limits one's liberty, not a natural law since there is no obligation that limits our natural liberty; again, there is 'no obligation on any man which ariseth not from some act of his own'.<sup>51</sup> The reason people forfeit their liberty for the sake of a covenant is a voluntary act – an act that involves reason.<sup>52</sup> 'And of all voluntary acts the object is to every man his own good' because, as Hobbes argues, 'no man giveth but with intention of good to himself'.<sup>53</sup> Thus, man is born free, with a right of nature that limits no one, and all duties are those self-imposed for the benefit of one's self. A categorical imperative that dissent reads in Hobbes's works runs contrary to Hobbes's understanding of a right of nature that describes a lawless, duty-less, state. When one does limit one's self one does so with an aim for the good – a subjective good that is. Such an imperative thus does limit one's liberty, yet is self-imposed, merely *hypothetical*, and does not contradict Hobbes's description of the state of nature as a state of affairs devoid of obligations and therefore of complete liberty in the sense that there are no pre-political or moral rules that limit one's ability to act.

Because there is no natural law properly speaking, morality has no place in the state of nature, according to orthodoxy. Rather, once in a commonwealth morality has to be defined. The orthodox therefore equate Hobbes's definition of justice with morality – morality is dependent on which ever rule the sovereign commands: during 'this war of every man against every man, this is also consequent: that nothing can be unjust. The notions of right and wrong, justice and injustice, have there no place. Where there is no common power, there is no law; where no law, no

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<sup>49</sup> L 14.4

<sup>50</sup> L 21.10; see Finkelstein, 'A Puzzle about Hobbes', 334-338; Parry, 'Performative Utterances', 246; and Raphael, *Hobbes*, 51

<sup>51</sup> L 21.10; see Finkelstein, 'A Puzzle about Hobbes', 334-338; Parry, 'Performative Utterances', 246; and Raphael, *Hobbes*, 51

<sup>52</sup> See chapter 6 section I, on Hobbes's ideas concerning reason in relation to voluntary motions. See L 6.1

<sup>53</sup> L 15.16

injustice'.<sup>54</sup> Morality is a construct dependent on the sovereign's will who defines what justice is by promulgating the civil law:

*CIVIL LAW is, to every subject, those rules, which the commonwealth hath commanded him (by word, writing, or other sufficient sign of the will) to make use of, for the distinction of right and wrong, that is to say, of what is contrary, and what is not contrary to the rule*

Most importantly, there are no moral limits to the sovereign's ability to formulate civil law.

Dissent's deontological account disagrees on every account. It argues that Hobbes offered (a) categorical instead of hypothetical imperatives, (b) that exist naturally, independent of one's desires, which are (c) morally obligatory at all times, in a state of nature and in a commonwealth, independent of the civil law. Whereas the orthodox interpretation finds a subjective moral theory based on a subjective theory of the good, the deontological interpretation argues there is an objective theory of the good theory based on an objective moral theory that obliges all at all times. The following section outlines the interpretation proffered by dissent. I agree *solely* with dissent's conclusion that there *is* an objective moral theory that obliges at all times. Later chapters discuss my view that the orthodox are right to conclude that Hobbes's moral theory nonetheless depends on *an ability to desire* rather than moral *values*.

### III. An objective moral theory

Orthodoxy thus reads into Hobbes a subjective moral theory; a moral theory that is man-made *because* there is no objective good. There are many passages that refer to a subjective theory of the good; however, there are too many passages that contradict the view that morality is in the hands of any one or set of individuals, including the sovereign. First, because Hobbes's moral theory is laid down in his laws of nature, 'the summa of Moral Philosophy', '[a]nd the science of them is the true and only moral philosophy'.<sup>55</sup> Those laws of nature, according to Hobbes, are 'immutable and eternal: for injustice, ingratitude, arrogance, pride, iniquity, acception of persons,

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<sup>54</sup> L 13.13; Korsgaard, *Sources of Normativity*, 7-8. Korsgaard links Hobbes's idea of justice with his moral theory by arguing that 'moral philosophers have been engaged in a debate about the 'foundations' of morality. We need to be shown, it is often urged, that morality is 'real' or 'objective'. (...) Hobbes had said that there is no right or wrong in the state of nature, and to them, this meant that rightness is mere invention or convention, not something real'.

<sup>55</sup> DCv 2.32; L 15.40

and the rest can never be made lawful. For it can never be that war shall preserve life, and peace destroy it'.<sup>56</sup> The sovereign has no part in the contract and is therefore not bound by the civil laws, however, 'sovereigns are all subject to the laws of nature, because such laws be divine, and cannot by any man or commonwealth be abrogated'.<sup>57</sup>

Hobbes emphasises that systems of *civil* law may change according to the sovereign that be, but the natural law remains unchanged: 'Princes succeed one another; and one judge passeth, another cometh; nay, heaven and earth shall pass; but not one tittle of the law of nature shall pass, for it is the eternal law of God'.<sup>58</sup> The natural laws are not subject to change because they are 'the dictates of right reason'.<sup>59</sup> 'Right reason' Hobbes employs on various occasions, always referring to the *faculty* of right reason, by which Hobbes means '*not, as many do, an Infallible Faculty, but the act of reasoning, that is, a man's own true Reasoning about actions...*'.<sup>60</sup> It is the act of reasoning which is 'nothing but *reckoning* (that is, adding and subtracting) of the consequences of general names'.<sup>61</sup> Hobbes argues this sort of reasoning applies to all sciences, be it geometry, the natural, civil, or the moral sciences. Science itself is to apply right reason and '[b]y *true reasoning I mean reasoning that draws right conclusions from true principles correctly stated*'.<sup>62</sup> I agree with Deigh that reason in this sense does not propose a material (or substantive) criterion of reason but a formal criterion instead.<sup>63</sup> In other words, one can be judged reasonable based on the right process of reasoning, independent of one's starting position. The question becomes: what does Hobbes mean by 'the dictates of right reason' as the natural law if right reason merely has a formal criterion? Does it indeed follow that the law of nature applies only to those who happen to value their survival as the orthodox camp believes? I disagree and argue that morality *does* command a universal code that is obligatory at all times.

Reason dictates that *pride, ingratitude, violation of Agreements (or wrong), unkindness or*

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<sup>56</sup> L 15.38

<sup>57</sup> L 29.9

<sup>58</sup> L 26.24

<sup>59</sup> DCv 1.15

<sup>60</sup> DCv 2.1

<sup>61</sup> L 5.2

<sup>62</sup> DCv 2.1

<sup>63</sup> Deigh argues in 'Reason and Ethics', 50: 'For a material criterion of reason implies either universal concepts that inhere in the human mind or a world of universals that exists independently of any particulars and is accessible to reason alone'. His main opponent in this sense is Gert, who argues one's survival is a substantive claim. See Gert, 'Hobbes on Reason'. See chapter 3 for my disagreement with Deigh, which focuses on his definitional interpretation of reason and morality in Hobbes.

*insult* [can never] be lawful, nor the contrary virtues ever unlawful'.<sup>64</sup> These virtues are not true based on one's ability to use reason, or apply the process of reasoning properly; instead, these characteristics are deemed virtuous because reason dictates that they are true, *whoever* uses reason and whatever one's preferences since '[r]eason itself...changes neither its end, which is *peace and self-defence*, nor its means, namely those virtues of character which we have laid out above, and which can never be repealed by either custom or civil laws'.<sup>65</sup> All people are capable of discovering the moral law because '*reason*, which is the *law of nature* itself, has been given to each and every man'.<sup>66</sup> That does not mean all will find what it is the laws of nature dictate due to '*false reasoning or stupidity*' which means that one can make mistakes.<sup>67</sup> In mathematics, too, the answers to one's questions are not dependent on one's subjective attitude or preferences; however, most people have a hard time achieving perfect scores when practicing mathematics. Just because one cannot find the right answer does not mean that there is no right answer out there. As Hobbes argues,

as in arithmetic, unpractised men must, and professors themselves may, often err and cast up false, so also in any other subject of reasoning, the ablest, most attentive, and most practised men may deceive themselves and infer false conclusions; not but that reason itself is always right reason, as well as arithmetic is a certain and infallible art...<sup>68</sup>

If 'right reason' was based on mere subjective preferences, then the right process of reasoning could dictate different moral codes.<sup>69</sup> However, right reason does not according to Hobbes since '*[t]he natural law is not an agreement between men, but a dictate of reason*'.<sup>70</sup> There is a universal natural law which enables the making of mistakes as we tend to do in mathematics. Morality, like mathematics, is not a relativistic enterprise.

Morality, in short, is not equivalent to the civil laws made given morality is independent of any one's arbitrary preferences. Even the sovereign, who is not bound by the civil law is 'bound' to

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<sup>64</sup> DCv 3.29

<sup>65</sup> *ibid.*

<sup>66</sup> DCv 4.1

<sup>67</sup> DCv 2.1

<sup>68</sup> L 5.3

<sup>69</sup> A current defence of such a moral theory is Gauthier's *Morals by Agreement*.

<sup>70</sup> EL table of contents to chapter 2

the moral law nonetheless: 'That he who has the supreme power can act inequitably, I have not denied. For what is done contrary to the law of nature is called inequitable; what is done contrary to the civil law, unjust. For just and unjust were nothing before the state was constituted'.<sup>71</sup>

The natural and the civil law each refer to one side of a two-tiered system of justice, which Hobbes summarises neatly when he argues that the sovereign is truly sovereign *within the confines of the natural law*:

Nevertheless we are not to understand that by such liberty the sovereign power of life and death is either abolished or limited. For it has been already shown that nothing the sovereign representative can do to a subject, on what pretence soever, can properly be called injustice or injury; because every subject is author of every act the sovereign doth, so that he never wanteth right to any thing, otherwise than as he himself is the subject of God, and bound thereby to observe the laws of nature.<sup>72</sup>

This two-tier system of justice Hobbes presents explicitly when discussing two types of obligations: the *in foro interno* and the *in foro externo* obligations:

The laws of nature oblige *in foro interno*; that is to say, they bind to a desire they should take place: but *in foro externo*; that is, to the putting them in act, not always. For he that should be modest and tractable, and perform all he promises in such time and place where no man else should do so, should but make himself a prey to others, and procure his own certain ruin, contrary to the ground of all laws of nature which tend to nature's preservation. (...) And whatsoever laws bind *in foro interno* may be broken, not only by a fact contrary to the law, but also by a fact according to it, in case a man think it contrary. For though his action in this case be according to the law, yet his purpose was against the law; which, where the obligation is *in foro interno*, is a breach.<sup>73</sup>

The *in foro interno* obligations bind at all times, whereas the *in foro externo* obligations oblige only under certain circumstances. The orthodox do not deny that Hobbes argues explicitly that there

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<sup>71</sup> L 18.6f

<sup>72</sup> L 21.7

<sup>73</sup> L 15.36-37

are obligations that oblige at all times, but, they argue, the duty does not entail much given it is merely 'a desire [the laws of nature] should take place'.<sup>74</sup> As such, the *in foro interno* obligations are seen as mere advice in the eyes of the orthodox.<sup>75</sup> However 'weak' the *in foro interno* obligation might look at first sight (and I believe at continued sight as well), it remains of importance in the search for an objective moral theory: the existence of an obligation that binds one at all times contradicts the view of Hobbes as a moral constructivist.<sup>76</sup> At the end of the passage, Hobbes judges a breach of an *in foro interno* obligation a sin, and 'every sin is a crime; but not every crime is a sin'.<sup>77</sup> Crime is therefore a subset of all sins. More importantly, a crime is an unjust act against the civil law — a law whose existence depends on the sovereign's will. 'But because the law of nature is eternal, violation of covenants, ingratitude, arrogance, and all facts contrary to any moral virtue can never cease to be sin'.<sup>78</sup> Again, the use of sin implies a morality that exists independent of any one's will, including the sovereign's. I therefore agree with Hood, among others, that there are two sources of justice in Hobbes – one legal, the other moral.<sup>79</sup> Hood's distinction I will use throughout this thesis to identify (a) the importance of the two-tiered system of justice in Hobbes and (b) the many, and many different, instances where the distinction plays a role. As the table below shows, the morality/legality distinction overlaps with at least three other distinctions discussed so far. The following chapters will continue to add distinctions.

### ***Legality***

### ***Morality***

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<sup>74</sup> L 15.36

<sup>75</sup> Dissent interpreters believe the orthodox critique concerning the difference advice and commands is unfounded. Taylor argues 'Hobbes always describes the items of the natural law as dictamina, or dictates, never as consilia, or pieces of advice, and the very use of this language implies their imperative character', (in the 'Ethical Doctrine' of 1965, 38). Martinich argues the word 'precept' is also misleading: 'In the seventeenth century, the term 'precept' was more or less synonymous with 'law' in its basic use...to say that the laws of nature are not laws but precepts is self-contradictory' (*Two Gods of Leviathan*, 111).

<sup>76</sup> I specifically deal with this debate — constructivism versus realism — in chapter 5.

<sup>77</sup> L 27.2

<sup>78</sup> L 27.3

<sup>79</sup> Hood, *The Divine Politics*, 196

|                     |                 |                 |
|---------------------|-----------------|-----------------|
| <i>Obligation</i>   | In foro externo | In foro interno |
| <i>Crime or sin</i> | Crime           | Sin             |
| <i>Law</i>          | Civil           | Natural         |
| <i>Source</i>       | Sovereign       | God/Reason      |

*Table 3* The morality/legality distinction

#### IV. A sovereign 'unbounded' within the limits of the moral law

I argue that this two-tiered system shows that the sovereign is bound by the natural law, which has one aim only: one's preservation. As long as one's life is not at stake, the sovereign is free to do as he or she pleases.

One of the passages that defends such a view is used by orthodoxy and dissent to defend their points of view with regards to the limits of the sovereign, which is the passage that describes the third law of nature, in which 'consisteth the fountain and original of justice', which is 'that men perform their covenants made'.<sup>80</sup> The orthodox argue the third law of nature shows that justice depends on self-imposed covenants or contracts. Hobbes namely has a common-sense view of contracts in the sense that, like Hobbes, no one signs a contract when one believes to be better off not signing the contract; and the social contract is nothing different. The ability to buy a bread for £1 at Tesco is a contract in which the two parties both believe they are better off: Tesco believes it rather has one's £1 instead of the bread, and whoever buys the bread thinks the opposite. A contract is a rational undertaking in Hobbes's sense that we add and subtract pain and pleasure – the pain of losing our money subtracted from the pleasure of enjoying the bread, and vice versa. When 'signing' the social contract, one will only agree to do so if one believes the contract serves one better than not signing. All individuals who sign up to the social contract are therefore willing participants since 'no man giveth but with intention of good to himself'.<sup>81</sup> The liberty one gives up for the sake of security is therefore a deal done in liberty, even if the contract

<sup>80</sup> L 15.1-2. The difference between a covenant and a contract is that in the latter case the exchange of goods happens directly. 'The matter or subject of a covenant is always something that falleth under deliberation ... and is therefore always understood to be something to come...'. (L 14.24)

<sup>81</sup> L 15.16

was signed at gun-point: one did have the choice to *not* sign and get shot.<sup>82</sup> Again, the orthodox will emphasise that justice in all cases depends on covenants — ‘the original of justice be the making of covenants’.<sup>83</sup> Dissent will emphasise the importance of the law of nature that bestows such authority on covenants: if one were to question where the authority of a covenant originates, a moral conventionalist would argue ‘the covenant’. This of course begs the question: ‘where does that authority originate?’ and the answer will have to be similar once again if one assumes that covenants are the origin of justice. Hobbes realises the problem of an infinite regress: a morality or law that depends on covenants made cannot depend on other covenants made *ad infinitum*. There has to be a starting position from which covenants are made obligatory.<sup>84</sup> Dissent interpreters are therefore right to argue that ‘the fountain and original of Justice’ that Hobbes speaks of is the law of nature itself instead of a civil law that merely *results* from the third law of nature. The connection between the natural law that gives authority to the civil law explains Hobbes’s words that ‘[c]ivil and natural law are not different kinds, but different parts of law, whereof one part (being written) is called civil, the other (unwritten) natural’.<sup>85</sup> Because the civil and natural law are merely different parts of the law, and not different kinds, one necessarily violates a natural law when violating the civil law, which explains Hobbes’s words that ‘all crime is sin’: the violation of the civil law, which is considered a crime, necessarily means one violated the natural law from which the civil law derives its obligatory nature, which is considered a sin.<sup>86</sup>

The obligation one has towards the natural law can conflict with one’s obligations towards the civil law, in which case the objective moral law relinquishes one from one’s duties towards the civil law. As soon as the sovereign demands one’s life, or is unable to defend one’s life, one’s obligation towards the sovereign is nullified.

The obligation of subjects to the sovereign is understood to last as long, and no longer, than the power lasteth by which he is able to protect them. For the right men

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<sup>82</sup> L 14.27; Hobbes refers to Aristotle’s sinking ship argument in L 21.3.

<sup>83</sup> L 15.3

<sup>84</sup> See Warrender for a similar argument in *Philosophy of Hobbes*, 6-7 and Martinich, *Two Gods of Leviathan*, 78. Green discusses the same problem in ‘Justice and Law in Hobbes’, 111f, where he argues that Hobbes ‘is committed to saying that there can be valid covenants in the state of nature because his theory holds that the sovereign is established by covenants made in the state of nature. If there could not be any valid covenants in the state of nature, the theory would fail’.

<sup>85</sup> L 26.8

<sup>86</sup> L 27.2



have by nature to protect themselves, when none else can protect them, can by no covenant be relinquished.<sup>87</sup>

Contrary to the orthodox interpretation, the objective moral law does oblige at all times, and obliges everyone, including the sovereign.<sup>88</sup>

I argue that Hobbes's natural law/civil law distinction shows that the sovereign has full control over his or her subjects *within the contract*. I argue 'within the contract' because, like any other contract, including the purchase of a bread at Tesco, all parties tied to the contract have a benefit in taking part, but that also means that if one of the parties in the contract fails to deliver its promise, the other party is relieved from his or her duty. If Tesco cannot deliver the loaf of bread, I am under no obligation to pay the £1. And again, the social contract is no different. One 'buys' security with their right of nature, which results in complete obedience from the subject's point of view. As soon as either party fails to deliver its part of the contract, the other parties are under no debt.

There is something different about Hobbes's social contract: the sovereign is namely not part of the deal. The sovereign has no duties and cannot, accordingly, fail the other parties of the contract. However, this means that if society fails to deliver the security one bought when entering the social contract, all parties are relinquished from their duty to let go of their right of nature. As soon as the commonwealth is too dangerous to sit idly by, one is allowed, even advised, to re-take their right of nature. The sovereign's failure to provide protection makes the parties to the contract unreliable partners. The parties are therefore relinquished from their obligation to obedience. The ability to advocate an unlimited sovereign while simultaneously arguing that all are bound to the moral laws of nature, including the sovereign, is not strictly speaking a contradiction. It is not morality that limits the sovereign's ability to rule; rather, it is his or her lack of providing security, independent of the 'morality' of the means used.

A passage from *Leviathan's* chapter XXI 'Of the liberty of subjects' shows that 'unlike many absolutists Hobbes does not think that absolute sovereignty requires absolute obedience'.<sup>89</sup>

It has already been shown that nothing the sovereign representative can do to a

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<sup>87</sup> L 21.21

<sup>88</sup> I explain the limits of the sovereign in chapter 5 section III.

<sup>89</sup> Sreedhar argues similarly in *Hobbes on Resistance*, 129.

subject, on what pretence soever, can properly be called injustice, or injury, because every subject is author of every act the sovereign doth, so that he never wanteth right to anything (otherwise than as he himself is the subject of God, and bound thereby to observe the laws of nature).<sup>90</sup>

The passage shows a feat that reappears in all of Hobbes's political writings and explains the confusion between Hobbes as either a legal positivist, who believes the written law is the only law, versus those that argue Hobbes has a moral law that limits subjects and sovereigns alike. Hobbes namely introduces the passage above with a reassurance of absolute sovereignty. The sovereign cannot cause injury by definition since the sovereign defines what justice is, and subjects cannot refer to an external standard of justice, which means that those who signed the social contract cannot defer: 'A contract lawfully made cannot lawfully be broken'.<sup>91</sup> However, a contract is only valid as long as all parties live up to the contract. If society becomes too dangerous as a result of the sovereign's failure to keep all of his subjects in awe, then one is allowed to sign a new contract. One is allowed to do so because the other parties to the contract have become unreliable partners. One does not have

the liberty to submit to a new power as long as the old one keeps the field and giveth him means of subsistence...For in this case he cannot complain of want of protection and means....But when that also fails, a soldier also may seek his protection wheresoever he has most hope to have it, and may lawfully submit himself to his new master.<sup>92</sup>

The final sentence shows that the civil law is underpinned by an obligatory role of the moral natural law. There is a two-tier system of justice, in which the *in foro interno* obligation to endeavour that the laws of nature be executed obliges at all time, whereas the *in foro externo* obligation only refer to self-imposed obligations, a subset of which is the civil law.

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<sup>90</sup> L 21.7. The *in foro interno* obligations that the laws of nature provide us are reckoned in the final part of the sentence, and show again that they are not on par with the *in foro externo* obligations that the civil law provides.

<sup>91</sup> L Review and Conclusion.6

<sup>92</sup> *ibid.*

#### V. The commander of the laws of nature: God or reason?

The natural law has one aim: nature's preservation. But the ability to preserve alone does not make an act moral; nor does an act that kills immediately become immoral. There is another requirement before a natural law is deemed moral, which is that the natural law refers only to acts done in a multitude of people. Hobbes does not think it necessary to formulate all sorts of healthy precepts, which tend to one's preservation given such individual precepts 'are not necessary to be mentioned, nor are pertinent enough to this place'.<sup>93</sup> One example Hobbes provides is drunkenness.<sup>94</sup> Binge drinking is unhealthy; yet, it does not violate a law of nature. If one were to drive around town right after binge-drinking however, one shows little respects for other's security, violating the intention of every law of nature, which is the preservation of all, including one's self. Death itself is not a tragedy, but rebellion is. Death caused by obesity, smoking, or excessive drinking, therefore do not violate the laws of nature since such deaths do not stem from a rebellion. At 'best', unhealthy acts could instantiate a violation of the laws of nature, for example, when drinking turns into conflict and rebellion. In such a case, it is the rebellion that violates the laws of nature, not the drinking.

So far I have argued in defence of a subjective theory of the good and an objective moral theory. The origin of a subjective good is clear enough: it is the subject that judges the object or idea that 'creates' the value. However, what is the origin of the objective law of nature: God or reason? I argue it is reason, which is arguably the biggest difference between the view that the religious dissent interpreters defend and myself. The final chapter of this thesis delves deeper into the relevance of religion to Hobbes's moral theory, but for now, I want to show why this question—what makes the law of nature obligatory?—is an important one to my thesis.

The laws of nature set limits to what it is one can reasonably contract about. One cannot promise to refrain from defending one's self if future circumstances force one to do so: 'a man cannot lay down the right of resisting them that assault him by force, to take away his life, because he cannot be understood to aim thereby at any good to himself'.<sup>95</sup> Yet again, the passage is used on both sides of the argument: orthodox subjectivists argue that the law of nature is a *precept*, and 'to do what one is instructed by *law* is a matter of duty; to take *advice* is

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<sup>93</sup> L 15.34

<sup>94</sup> L 15.34; Funnily enough, in *De Cive*, Hobbes does argue that drunkenness is against the law of nature. However, this is only insofar that drunkenness prevents one from making 'an effort to maintain [one's] ability to reason properly'. See DCv 3.25

<sup>95</sup> L 14.8

*discretionary*'.<sup>96</sup> Dissent's objective interpretation emphasises the passages provided above that all are bound by the law of nature, including the sovereign and those who believe their survival has no value, and that the laws of nature sets limits to our acts that can be justified. But again, the orthodox have a fair point criticising the point of view that dissent advocates: Hobbes seems to describe very few limits, arguing that a war of all against all is cruel, and 'in such a condition every man has a right to every thing, even to one another's body'.<sup>97</sup> Whereas orthodox authors believe the state of nature is a state of license where all is permitted according to one's ideas about what is necessary towards one's survival, dissent authors argue that the state of nature may be a state of liberty, *yet certainly not of license*. Though we are at liberty to preserve our own life, we are still forbidden to do its opposite: we are forbidden to do 'that which is destructive of [our] life or taketh away the means of preserving the same'.<sup>98</sup> Thus, one is not allowed to attack another at will; we are only allowed to defend when circumstances are such we are forced to do so.

Dissent thus introduces a moral component to the right of nature and dismisses the view of a right of nature as a mere *liberty right*. Rather, the right of nature is an impossible obligation – I simply cannot be obliged to give up my life. The right of nature does not prescribe we are allowed to defend ourselves whatever means necessary, but argues we are allowed to defend ourselves when the conditions are such we have to. Only when these 'validating conditions' arise does our natural right equal liberty.<sup>99</sup>

Orthodox interpreters view Hobbes's definition of the right of nature as a description. The right of nature is not a claim right, but a liberty right: the right of nature describes the lack of political institutions, which make for a lawless state – a state of license. Deontological interpreters view the right of nature differently; not as a description, but as a moral *prescription*. Hobbes's words that immediately follow the initial definition set out the moral component found in the right of nature.

as long as this natural right of every man to every thing endureth, there can be no security to any man, how strong or wise soever he be, of living out the time which nature ordinarily alloweth men to live. And consequently it is a precept, or general rule of reason *that every man ought to endeavour peace, as far as he has hope of obtaining*

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<sup>96</sup> DCv 14.1

<sup>97</sup> L 14.4

<sup>98</sup> L 14.3

<sup>99</sup> Warrender, 'Obligations and Rights in Hobbes'

*it; and when he cannot obtain it, that he may seek and use all helps and advantages of war.*<sup>100</sup>

The moral component shows in Hobbes's command that one *ought* to endeavour peace, also in a state of nature. A moral prescription prescribes one ought to do something for the sake of a good that is not necessarily one's private interests. Such a requirement exists independent of anyone's particular desires or apparitions, including the sovereign's. The laws of nature are obligatory, *always*, and the right of nature is a moral prescription that similarly outlives anyone's particular desires. In effect, subjects do not transfer or give up their natural right upon the erection of the commonwealth, as orthodox authors believe; the conditions merely change upon which one is allowed to execute one's right of nature. Both the right and the law of nature remain the same, during the commonwealth *and* in a state of nature. According to dissent, one keeps possession of one's right of nature while the laws of nature remain obligatory, *always*; only the validating conditions change.<sup>101</sup>

The debate is interesting because the orthodox remain to defend all of morality is man-made, whereas dissent defends an external source for one's obligations. This influences the reading of other passages, starting with the famous passage on the fool that dissent interpreters have used to defend a moral point of view in Hobbes. The fool 'questioneth whether injustice (...) not sometimes stand with that reason which dictateth to every man his own good'.<sup>102</sup> The passage at the very least shows that justice is not equivalent to anyone's perceived private benefit. Hobbes defines justice as the keeping of covenant, and in the passage on the fool he argues that injustice is the not keeping of covenants. As such, there is a dichotomy: all keeping of covenant is just; and, all violations of covenants are unjust. Hobbes argues that the law of nature 'is agreeable to the reason of all men', which is what the fool doubts.<sup>103</sup> The fool questions if it is truly rational to *always* keep one's covenants. Hobbes disagrees, which is very likely the reason he called the doubter a fool:

The fool hath said in his heart, there is no such thing as justice, and sometimes also with his tongue, seriously alleging that every man's conservation and contentment

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<sup>100</sup> L 14.4

<sup>101</sup> Warrender, *Philosophy of Hobbes*, chapter 5 on 'the conditions of law and obligation'.

<sup>102</sup> L 15.4

<sup>103</sup> L 26.13

being committed to his own care, there could be no reason why every man might not do what he thought conduced thereunto: and therefore also to make, or not make; keep, or not keep, covenants was not against reason when it conduced to one's benefit...This specious reasoning is nevertheless false<sup>104</sup>

Since the laws of nature are the declarations of right reason, Hobbes is left with the task of explaining how the performing of one's covenant is *always* the rational thing to do, even when the other party has already done its deal or when it may appear to someone that simply not doing one's part of the deal is more beneficial. Hobbes explains it's due to reasons of trust: a society needs a basis of trust to cooperate with an eye to its future covenants. Hobbes argues one has to perform one's covenants categorically:

I say it is not against reason. For the manifestation whereof we are to consider; first, that when a man doth a thing, which notwithstanding anything can be foreseen and reckoned on tendeth to his own destruction, (howsoever some accident, which he could not expect, arriving may turn it to his benefit), yet such events do not make it reasonably or wisely done. Secondly, that in a condition of war, wherein every man to every man, for want of a common power to keep them all in awe, is an enemy, there is no man can hope by his own strength, or wit, to himself from destruction without the help of confederates; where every one expects the same defence by the confederation that any one else does: and therefore he which declares he thinks it reason to deceive those that help him can in reason expect no other means of safety than what can be had from his own single power. He, therefore, that breaketh his covenant, and consequently declareth that he thinks he may with reason do so, cannot be received into any society that unite themselves for peace and defence but by the error of them that receive him'.<sup>105</sup>

This speaks in favour of reason as the lawgiver — that which provides obligatory power to the natural law — because reason shows that it is in one's prudential interest to categorically keep one's covenants. There is no reference to a Divine will; one is not forced to keep one's covenants

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<sup>104</sup> L 15.4

<sup>105</sup> L 15.5

because God commands it. However, there is one more puzzling passage in *Leviathan* that, again, both sides of the original debate use in defence of their own positions. The following passage argues that the natural law is only improperly called a law since there is no commander to make these laws obligatory.<sup>106</sup> The orthodox are ready to point out the advisory role that the natural law plays as an 'improper law'. Dissent refers to the final part of the passage which argues that the natural law can act as a proper law, as long as we perceive the law of nature to be derived from a commander —God:

These dictates of reason men used to call by the name of laws, but improperly: for they are but conclusions or theorems concerning what conduceth to the conservation and defence of themselves; whereas law, properly, is the word of him that by right hath command over others. But yet if we consider the same theorems as delivered in the word of God that by right commandeth all things, then are they properly called laws.<sup>107</sup>

There are two questions that relate to this passage. The first relates to the definition of a law and if the laws of nature are truly obligatory laws; the second relates to the relevance of God.

First, Hobbes defines a law to be in a dichotomous state with a right such that 'law and right differ as much as obligation and liberty, which in one and the same matter are inconsistent'.<sup>108</sup> Orthodoxy argues that if the law of nature is indeed a *law*, which means there is some impediment out there, then it follows that the state of nature is not truly a state of liberty as Hobbes argues it to be in the opening paragraphs of chapter XIV of *Leviathan*. The orthodox therefore take on Hobbes's words that the natural laws are not proper laws — they do not impede, not legally or physically:

The law of nature and the civil law contain each other, and are of equal extent. For the laws of nature, which consist in equity, justice, gratitude, and other moral virtues on these depending, in the condition of mere nature (as I have said before in the end of

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<sup>106</sup> Hobbes argues similarly when he says that 'properly speaking, the natural laws are not laws, in so far as they proceed from nature' in DCv, 3.33.

<sup>107</sup> L 15.41

<sup>108</sup> L 14.3

the 15th chapter) *are not properly laws, but qualities that dispose men to peace and to obedience.*<sup>109</sup>

I agree with the orthodox interpretation that the laws of nature are not proper laws in the sense that they do not seem to impede us – not physically or legally. However, it does not follow that they are therefore not obligatory morally. As argued above, the laws of nature oblige only in the sense that one ought to *endeavour* that they be executed. As such, one is not impeded in the sense that is relevant to the state of nature. The state of nature is a state of liberty, and liberty is ‘the absence of external impediments, which impediments may oft take away part of a man's power to do what he would, but cannot hinder him from using the power left him, according as his judgment and reason shall dictate him’.<sup>110</sup> The laws of nature do not impede one's physical liberty but they do oblige to one's intentions internally.<sup>111</sup> Because they do not impede one's liberty, which a law is supposed to do according to Hobbes, they are only improperly called laws. The use of ‘improper’ shows that Hobbes was aware that something was not quite right or consistent in his use of these words. Whatever his reasons for employing the term ‘law of nature’, there is no reason to doubt the many passages where Hobbes refers to the laws of nature as eternal, immutable, and obligatory for all, including the sovereign. The actual influence of these obligations appear to be of little consequence: the laws of nature oblige only to a minimal internal sense — one ought to endeavour their execution.

Dissent have taken the passage in a different direction that fits their interpretation as the laws of nature as categorical imperatives, true and obligatory always, since ‘moral good, being relative to God's laws, is determined for and not by man’.<sup>112</sup> Dissent's interpretation overlaps for a great deal with a religious interpretation, which is the view that ‘the laws of nature are properly laws and are such because God commands them’.<sup>113</sup> In this passage Hobbes admits that the natural laws *can* be seen as proper laws as long as ‘we consider the same theorems as delivered in the word of God that by right commandeth all things’.<sup>114</sup> Apparently, there *is* an external lawgiver in the form of God who ‘by right hath command over others’. Passages and variations of similar

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<sup>109</sup> L 25.8, emphasis added

<sup>110</sup> L 14.2

<sup>111</sup> More on the significance of intentions in chapter 7.

<sup>112</sup> Hood, *The Divine Politics*, 6

<sup>113</sup> A.E. Taylor, ‘The Ethical Doctrine’ of 1938, 422; Warrender, *Philosophy of Hobbes*, 10; Hood, *The Divine Politics*, 115-116; Martinich, *Two Gods of Leviathan*, 14 & 71-72

<sup>114</sup> L 15.41



passages in later publications add even more confusion: where Hobbes had spent a complete chapter showing the scriptural authority for the laws of nature in his *De Cive*, he simply drops this chapter in the *Leviathan*.<sup>115</sup> And not only does he ‘forget’ to justify any other legislator – such as God – other than the sovereign in *Leviathan*, he also removes the latter part of the final paragraph from chapter 15 in the Latin edition of the *Leviathan* published in 1668, 17 years after the English version was published. As such, only the orthodox part remains of the paragraph that previously defended both positions.<sup>116</sup> Third, Hobbes denounces the ‘divine’ interpretation of the laws of nature, explicitly citing chapter 15, when he argues the laws of nature *are not properly laws, but qualities that dispose men to peace and to obedience*.<sup>117</sup> This passage makes no reference to the natural law as a command from God.

I will argue throughout this thesis that it is reason that commands the laws of nature and makes the laws of nature obligatory. I believe it is obligatory to use reason at all times, even in a commonwealth where a sovereign sits at its head. The details of the arguments follow, but I do want to make one general comment that speaks in favour of reason as the commander of the laws of nature as opposed to a Divine ruler. The general idea of *Leviathan* is namely the unifying force of the sovereign, who, by definition, cannot be split into different fractions or knows a different commander above him because it installs ‘a judge above him, and a power to punish him, which is to make a new sovereign’.<sup>118</sup> The laws of nature are indeed Divine laws, but what makes them obligatory is not their source: the laws of nature are not to be followed *because* God commands them. Rather, they are the ‘dictates of reason’, which are ‘agreeable to the reason of all men’.<sup>119</sup> They are agreeable because they are the laws that all rational thinking individuals would agree with since all are supposed to act with an eye to their own good. The idea of the commonwealth is no different: people give up their rights with ‘the foresight of their own preservation, and of a more contented life thereby’.<sup>120</sup> The laws of nature are obligatory because they represent the moral propositions that rational people agree with. This is not to say that religion is not important to Hobbes, as his many writings on religious affairs and Scripture show it

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<sup>115</sup> DCv, chapter 11

<sup>116</sup> L 15.41f. However, Curley adds to the introduction of *Leviathan* that the Latin edition was for a great part written before the English version had been published. If that applies to chapter 15, then the argument, employed by orthodox authors, that Hobbes had deleted the final sentence of chapter 15 after the English publication of 1651, is nullified. See: Curley in L, Bibliography, lxxiii

<sup>117</sup> L 25.8, emphasis added

<sup>118</sup> L 29.9

<sup>119</sup> L 26.13

<sup>120</sup> L 17.1

is.<sup>121</sup> However, I agree with John Rawls, that Hobbes's moral theory is a secular one that does not rely on theological assumptions.

Theological assumptions may *enforce* this secular system by adding God's sanctions to the dictates of reason, and they may enable us to describe it in a somewhat different fashion so that the dictates of reason are called "laws," but they do not alter the fundamental structure of concepts and the content of its principles, or what they require of us.<sup>122</sup>

Hobbes's moral theory is secular: one can delete God from the equation without affecting its consistency. To remove God does affect the ability to affect those who Hobbes tries to address: citizens amid a civil war based on religious differences.<sup>123</sup>

## VI. Conclusion

This thesis argues that Hobbes's moral theory does not depend on his theory of the good — a link that is incorrectly made by orthodox and dissent interpreters alike. A theory of the good explains what has value in the world, and Hobbes's explanation is that good is just that which we perceive as beneficial, such that all good is relational. What has value to me does not say anything about the value that object or idea has to others. Hobbes's moral theory, however, *is* universal: no one is allowed to act to the detriment of nature's preservation: no one is even allowed to give up their own life.

There is a two-tier system of justice in Hobbes. The first relates to the civil law which is given its authoritative power through the sovereign's will. A violation of the civil law is considered a crime, and a breach of one's *in foro externo* obligations. The second relates to the laws of nature, which oblige *in foro interno*, and their violation is considered a sin. Much of what is to follow in this thesis argues that it is reason that provides the law of nature its obligatory status.

This chapter merely shows that a subjective theory of the good appears throughout Hobbes's works, as does an objective moral theory. The following chapter deals with a related component of that question, namely: what do the laws of nature depend on? The orthodox have

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<sup>121</sup> See chapter 8 section III for an explanation of Hobbes's use of Scripture and theological doctrine in support of his secular political and moral theory.

<sup>122</sup> Rawls, *Lectures on Political Philosophy*, 29

<sup>123</sup> See chapter 8 section III.

argued that the laws of nature depend on *particular* interests; dissent has argued that they depend on a universal moral imperative. I argue that the laws of nature depend on the *universal* ability to desire; yet, their obligatory status depends on reason.

## CHAPTER 2 – MORALITY BASED ON TRUE FACTS INSTEAD OF PARTICULAR DESIRES

This chapter sets out the core idea of this thesis, which is that Hobbes's moral theory is objective and dependent on certain non-moral factual properties. As such, Hobbes's subjective theory of the good and his moral theory remain independent of each other. The former is made up of values whereas the latter is made up of facts, which is why Hobbes should not be viewed as a moral voluntarist or deontological thinker, but a moral factualist instead.

Hobbes argues his laws of nature are the 'true and only moral philosophy'.<sup>1</sup> Orthodoxy has interpreted this sentence as a moral voluntarist theory: what makes the laws of nature *true* is dependent on subjective preferences, which means only those who actually value their survival are 'obliged' to act according to the laws of nature. Dissent's deontological interpretation argues that the laws of nature are categorically true — *all* ought to act according to the laws of nature because all are morally obliged to preserve nature, independent of one's desires. The orthodox thus base Hobbes's moral theory on human nature, in particular desires, whereas dissent bases Hobbes's moral theory on absolute values, which are made absolute due to God's or reason's commands.

I argue that the orthodox are right to argue that the foundation of the laws of nature is human nature, which means that if human nature were to change, the laws of nature would change accordingly.<sup>2</sup> However, I agree with dissent that the laws of nature are categorically true and therefore categorically obligatory.<sup>3</sup> There are orthodox attempts to argue similarly; Jean Hampton argues a Hobbesian 'true belief instrumentalism', which argues that what elevates a *real* obligatory value from any *arbitrary* value, is to see what the individual would view as his good *given full information*. Those *real* goods, according to Hampton, are the foundation of Hobbes's moral theory. As such, not every desire is justified, but only rational desires – real goods – are.

I disagree: It is not a fully informed individual's desire that makes the moral propositions true; rather, certain objective features about this world do. One's *judgment* of such a proposition is of no influence to its moral status, however real one's desires might be. Unlike Hampton's interpretation, Hobbes does not believe there is a link between his theory of the good and his moral theory.

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<sup>1</sup> L 15.40

<sup>2</sup> The change in human nature would have to be relative to the contents of morality to make the laws of nature change accordingly.

<sup>3</sup> I disagree with Dissent's view on the religious status of the moral law. See chapter 7 section III.

Whereas the previous chapter merely shows that the two interpretations implicitly assume there is a link between Hobbes's theory of the good and his moral theory, this chapter shows what that actual link is. The first section discusses the orthodox link, which is: 'one ought to  $x$ , *if* one values  $y$ '.<sup>4</sup> Dissent argues that 'one ought to  $x$ , *because*  $y$  has value'. Hobbes's moral factualism shows that it is in fact 'one ought to  $x$ , *given* one desires something, and in order to enjoy that something, one ought to  $y$ '.

The previous chapter shows that both readings have difficulties relating an objective moral theory with a subjective theory of the good. One attempt has come close, which is the orthodox interpretation of Hampton and her 'true belief instrumentalism', which is the doctrine that 'any act is rational if it is one an individual *would* determine he *should* take to fulfill his present desires *if* he had true beliefs'.<sup>5</sup> I agree with Hampton that the laws of nature are founded on human nature, on non-moral properties. However, I argue that what qualifies some 'goods' as moral is not that someone desires them, rational or not, but objective features of that specific act or object do instead. Our ability to desire one or another object or act *in particular* does not alter its moral status, which is instead dependent on certain objective features – an act's or object's ability to prolong life. In the third section I argue that the objective nature of the laws of nature and the subjective underpinnings of the theory of the good are supported by Hobbes's view of the moral sciences as a science in their own right. What it is we call good, however, remains strictly personal. The two theories *have* to be separated because 'the moral' is based on reason, which aims to formulate universal propositions, whereas 'the good' is based on subjective particular desires alone. Though I support the objective nature of the laws of nature, I continue to show in the fourth section that the laws of nature are not moral imperatives in the sense that dissent interpreters have argued: Hobbes at no point argues that one's preservation *ought* to be valued in itself. Rather, I argue that nature's preservation is a necessity given man's shared nature: the fact that all desire something. Like the orthodox have argued, Hobbes's moral theory is prudential; yet, I argue that they are applicable to all given Hobbes's belief that truly everyone desires something. Finally, the fifth section shows how Hobbes's theory is objective in one sense, but subjective in the other. I use Wiggins' two dichotomies – objective/non-objective and subjective/non-subjective – to show Hobbes's moral theory is objective *and* subjective.

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<sup>4</sup> 'one ought to  $x$ ' refers to Hobbes's moral theory, which are the action-guiding principles found in the laws of nature. ' $y$ ' refers to one's preservation.

<sup>5</sup> Hampton, *Social Contract Tradition*, 36

### I. True belief instrumentalism

Hobbes's remark that 'the true doctrine of the laws of nature is the true and only moral philosophy' raises at least one obvious question: what makes the laws of nature true?<sup>6</sup> According to orthodox interpreters, all laws of nature are true for those who happen to value their survival. In other words: it is true that one ought to act according to the laws of nature, *if* one happens to value their survival.<sup>7</sup> If the orthodox interpretation were right, then those who 'prefer to lose their peace and even their lives rather than suffer insult' have no duty to obey the laws of nature.<sup>8</sup> However, the laws of nature are eternal and immutable. Why the need for the orthodox to rely on human nature?

One of the reasons why the orthodox try to make the laws of nature *depend* on human nature — on man's preferences instead of an impersonal good — is Hobbes's recurring internalist theory of obligation, which is the doctrine that there is a necessary connection between what one ought to do and what one desires or has a will to do.<sup>9</sup>

Forasmuch as will to do is appetite, and will to omit, fear; the causes of appetite and of fear are the causes also of our will. But the propounding of benefits and of harms, that is to say, of reward and punishment, is the cause of our appetite and of our fears, and therefore also of our wills, so far forth as we believe that such rewards and benefits, as are propounded, shall arrive unto us. And consequently, our wills follow our opinions, as our actions follow our wills. In which sense they say truly and properly that say the world is governed by opinion.<sup>10</sup>

One's reason for acting 'man doth upon appetite or fear'.<sup>11</sup> One is *determined* to act according to one's self-defined self-interest as it is impossible for one to act in contradiction of one's own understanding of the good: 'of the voluntary acts of every man the object is some *good to himself*'

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<sup>6</sup> L 15.40

<sup>7</sup> See Hampton, *Social Contract Tradition*, 56; Watkins, *System of Ideas*, 50-57; and, Gauthier, *Logic of Leviathan*, 49-59

<sup>8</sup> DCv 3.12; Hobbes makes similar remarks in EL 16.11; L 13.62, 15.76, and 27.155; DH 12.1

<sup>9</sup> LeBuffe, 'Origin of Obligation', 15; The following authors argue a similar internalist interpretation of Hobbes's theory of obligation: Brown, Jr., 'Hobbes: The Taylor Thesis'; Darwall, *The British Moralists*, Chap. 3; Gauthier, *Logic of Leviathan*, 40-44, 57-61; Hampton, *Social Contract Tradition*, 55-57; Kavka, *Hobbesian Moral and Political Theory*: 303-308; Lloyd, *Ideals as Interests*: 356-357; Nagel, 'Hobbes's Concept of Obligation'; Watkins, *System of Ideas*, 50-61.

<sup>10</sup> EL 12.6

<sup>11</sup> EL 12.3

which is what people do by necessity since 'every man by nature seeketh his own benefit and promotion'.<sup>12</sup> Accordingly, there cannot possibly be a moral theory that prescribes anything other than self-interested behaviour.

What, then, is the conduct that [according to Hobbes] ought to be adopted . . .? In the first place, since all voluntary actions of men tend to their own preservation or pleasure, it cannot be reasonable to aim at anything else; in fact, nature rather than reason fixes the end of human action, to which it is reason's function to show the means. Hence, if we ask why it is reasonable for any individual to observe the rules of social behavior that are commonly called moral, the answer is obvious that this is only indirectly reasonable, as means to his own preservation or pleasure.<sup>13</sup>

There are therefore at least two problems with the orthodox interpretation. The first is the accusation of committing the naturalistic fallacy; the second is the seeming impossibility for any sort of moral theory, given Hobbes's determinism, directed at self-interest.

The first problem Darwall summarises neatly: 'Why does the fact that I happen to desire something create a reason for me to seek it? That I actually desire something seems to be one thing, that it is desirable, something I should desire or seek, another'.<sup>14</sup> In other words, simply because one wants to smoke does not mean one ought to smoke, and, likewise, just because I want to survive does not automatically mean I ought to value my survival. There is no problem for orthodox authors here; they do not deny that there is a naturalistic fallacy, they are, however, unwilling to *correct* Hobbes. '[T]he standards of theoretical adequacy and logical rigor are Hobbes's own (...) To disregard these standards...and to piece together out of Hobbes a body of doctrine logically independent of his theory, is to emasculate him'.<sup>15</sup> Peters also believes the fallible is-ought distinction was part of Hobbes's thought given that 'this logical blemish...was not clearly grasped till Hume made it explicit'.<sup>16</sup> Dissent does not believe Hobbes committed the naturalistic fallacy given that their interpretation of Hobbes's moral theory does not derive an

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<sup>12</sup> L 14.8; for a nearly identical phrase, see L 25.2: 'the proper object of every man's will is some good to himself'. Second quote see L 19.9

<sup>13</sup> Sidgwick quote taken from Deigh, 'Reply to Murphy', 97.

<sup>14</sup> Darwall, 'Normativity and Projection', 316

<sup>15</sup> Brown Jr., 'Hobbes: The Taylor Thesis', 308-309; see for a further unproblematic acceptance of Hobbes's naturalistic fallacy: Baumgold, *Hobbes's Political Thought*, introduction

<sup>16</sup> Peters, *Hobbes*, 151

ought from an is, which, according to Brown, is exactly the reason 'the [dissent] thesis is false: Hobbes does not in fact hold, and cannot in principle admit, that the statements comprising his psychology have no logical bearing on the statements comprising his ethical theory'.<sup>17</sup>

The second problem is that orthodoxy's interpretation of Hobbes's 'moral theory' does not seem all that moral. According to Gert, a moral theory offers 'a code of conduct that, given specified conditions, would be put forward by all rational persons'.<sup>18</sup> Not only is such a theory rational, it is also non-personal: 'we must be prepared to *disregard our own interests* and bow before the force of argument'.<sup>19</sup> Hobbes's moral theory seems to argue the opposite: all one's preferences are deemed morally just given one's interests will be self-centered naturally. Can Hobbes offer a moral theory at all? Sorell argues that to compute a Hobbesian moral theory 'one would need no less than a knock-down argument for impersonal morality in the face of claims of self-interest, and such an argument is notoriously difficult to construct'.<sup>20</sup> Nagel concludes that there is indeed no moral theory to be read in Hobbes given human nature 'is susceptible only to selfish motivation, and is therefore incapable of any action, which could be clearly labelled moral. [A Hobbesian man] might, in fact, be best described as a man without a moral sense'.<sup>21</sup>

In relation to this second problem, that equates every law of nature with an *actual* preference, Jean Hampton offers an orthodox interpretation of Hobbes that she dubs Hobbes's 'true belief instrumentalism', which is the doctrine that, 'any act is rational if it is one an individual *would* determine he *should* take to fulfill his present desires *if* he had true beliefs'.<sup>22</sup> Whereas previous orthodox interpretations hold that 'one ought to x *if* one values y', Hampton's account argues 'one ought to x because your rational you values y'. This 'saves' the orthodox account because, according to Gert's definition of morality given above, a moral theory offers 'a code of conduct that, given specified conditions, would be put forward by all rational persons'.<sup>23</sup> Whereas a previous orthodox interpretation judges the law of nature obligatory based on *any* individual's preference for survival or non-survival, Hampton's account picks and chooses: only rational preferences allowed. As such, not only the sufficiently rational are obliged, but all are.

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<sup>17</sup> Brown Jr., 'Hobbes: The Taylor Thesis' of 1938, 307; I have replaced the word Taylor with Dissent.

<sup>18</sup> Gert, *Morality*, 14

<sup>19</sup> Peters, *Hobbes*, 164

<sup>20</sup> Sorell, *Hobbes*, 110

<sup>21</sup> Nagel, 'Hobbes's Concept of Obligation', 74

<sup>22</sup> Hampton, *Social Contract Tradition*, 36

<sup>23</sup> Gert, *Morality*, 14



Such an interpretation has been used by various interpreters, all of which refer to a distinction that Hobbes formulated between *real* and *apparent* goods in *De Homine*.<sup>24</sup> The foundation on which this orthodox interpretation is based is a fragile point of departure. Not only is *De Homine* a short work on man's nature and morality, it is also the *only* work in which Hobbes makes the distinction. Moreover, I do not think that the distinction that Hobbes formulates justifies Hampton's 'true belief instrumentalism'.

Rawls, Goldsmith, Peters, Tuck, Lloyd, and Blau have all used the distinction between *real* and *apparent* goods to save the assumption that whoever argues in defence of a subjective theory of the good must have a subjective moral theory, and makes for a *legitimate* or *genuine* moral theory. Goldsmith employs the language of first and second-order desires in order to distinguish between our *apparent* good (first-order) and *real* good (second-order), since a second-order desire would be the desire one would have, given full information. The desires that lead to war – such as the pursuit for vain-glory – Goldsmith equates with first-order desires; the rational laws of nature, which lead to peace, are second-order desires.<sup>25</sup> On this reading too, Hobbes's moral theory is subjective since the goodness of a moral act is dependent on an individual's preference; specifically, an individual with full information. On a similar note, Tuck employs the language of interests and beliefs to refer to real as opposed to apparent goods. There is a distinction between man's *interests* from '*beliefs* about their own power, and in particular about the means by which they might come to preserve themselves'.<sup>26</sup> To think one is very able, to think of one's self as powerful, is to experience glory, grounded in one's beliefs concerning one's self. Such beliefs create rather than prevent war which shows that our subjective beliefs correspond to our apparent goods while our subjective interests refer to real goods. Tuck and Goldsmith are not the only ones to employ the distinction. Lloyd's book fittingly titled *Ideals as Interests in Hobbes's Leviathan: The Power of Mind over Matter* also argues our prideful ideas and conceptions of our selves are trouble-causing desires for honour:

Because men are prideful, thinking themselves eminent in wisdom and in the capacity to direct common affairs, striving to be acknowledged as better than others, in competition for honor, and are capable of discontenting their fellows by false representations of good and evil, all of which they will do even when they are

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<sup>24</sup> DH 11.5

<sup>25</sup> Goldsmith, *Science of Politics*, 93-94; Peters makes a similar distinction in *Hobbes*, 154.

<sup>26</sup> Tuck, 'Hobbes's Moral Philosophy', 185

comfortable and secure, their judgments will be largely self-promoting and therefore will necessarily differ; thus, direction of the group according to the private judgments of each can be expected to be chaotic and self-defeating<sup>27</sup>

What all these views share is the belief that the laws of nature describe our personal *interests* as 'conclusions or theorems concerning what conduceth to the conservation and defence of themselves'<sup>28</sup>; whereas our *beliefs* are subjective opinions about such means, which are most likely distorted because we look at others with contempt, and pride ourselves with vainglory, misinterpreting the real standards of good and evil in relation to our survival.

Rawls' interpretation of Hobbes differentiates between simple and *higher-order* desires, based 'on our capacity for reason'.<sup>29</sup> The laws of nature aim for the higher-order desires. The relationship between the laws of nature and our *better* desires – second-order, higher-order, rational interests or real goods – imply that the subjective interpretation survives once again since both our interests and our beliefs are based on one's subjective preferences, yet, the rationality requirement enables exclusion of those who do not desire their preservation. The following excerpt from Adrian Blau summarises the transition from the previous orthodox account to Hampton's 'true belief instrumentalism':

Hobbes is often seen as the champion of subjective self-interest. True, Hobbes writes that „the proper object of every mans Will, is some Good to himselfe“. But recall Hobbes's distinction between real and apparent goods. The „good“ that we pursue is not always our greatest real good – self- preservation.<sup>30</sup>

According to Hampton and Blau, the laws of nature are made true based on subjective desires still, yet, merely rational ones. And that one good that is always a real good – a higher-order desire, a second-order desire, an interest as opposed to a mere idea – that is one's preservation.

However, in the introduction of this thesis I quote such staunch orthodox authors, such as Kavka and Gauthier, who argue that there is something about survival that elevates its goodness from all other values. And I believe it does so in a way that makes one think it is *independent* of

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<sup>27</sup> Lloyd, *Ideals as Interests*, 63-64

<sup>28</sup> L 15.41

<sup>29</sup> Rawls, *Lectures on Political Philosophy*, 59

<sup>30</sup> Blau, 'Hobbes on Corruption', 612

any one's personal interest, belief, desire, or any other subjective attitude, however rational those might be. Orthodox authors, however, have taken the description of the law of nature to argue only hypothetical imperatives can arise from Hobbes's law of nature. It is a hypothetical rather than a categorical imperative because the law of nature *becomes* imperative given one's subjective preference for survival. Hobbes argues: 'A law of nature, *lex naturalis*, is a precept, or general rule, found out by reason, by which a man is forbidden to do that which is destructive of his life...and to omit that by which he thinketh it may be best preserved'.<sup>31</sup> For the orthodox the word *thinketh* implies the proposition has a truth-value which is dependent on a particular state of mind. The imperative character is thus dependent on one's subjective reasoning. However, I, along with Kavka, argue that one's survival is given a more objective grounding; Hobbes argues consistently that 'right reason aims for peace and survival'.<sup>32</sup> Orthodox authors do recognise survival differs from many other contingent desires, yet the true belief instrumentalism as employed by many 'saves' the subjective interpretation by arguing that this desire is of a second-order, a higher order, more real, or simply rational. Most importantly, a real good remains subjective, in line with Hobbes's remarks '*that knowledge of good and evil is a matter for individuals*'.<sup>33</sup>

Hampton, Goldsmith, Peters, Tuck, Rawls and Lloyd all attribute a subjective moral theory to Hobbes by arguing that it is the preference, true belief, higher or real desire of a fully informed person that make one's (moral) obligations imperative. However, I argue it is not the fully informed person's desire that make it true that peace is better than war. What makes peace better than war are certain objective features of war and peace and man's universal psychology.

## II. An objective moral theory: facts instead of true belief instrumentalism

According to Hampton's true belief instrumentalism, an ill person suffering from a bacterial infection would rationally prefer an antibiotic drug over a 'certain herbal medicine', since the latter has little effect.<sup>34</sup> I agree with Hampton that there are more rational or *real* goods, and I agree with Goldsmith that these could be called second-order desires since a person would want to desire the medicine that actually works. I also agree that if someone were to have these desires, they remain subjective as desires, since I desire them as they are of interest *to me*.

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<sup>31</sup> L 14.3

<sup>32</sup> DCv 3.29

<sup>33</sup> DCv 12.1

<sup>34</sup> Hampton, *Social Contract Tradition*, 34.

However, I believe the laws of nature are obligatory independent of anyone actually having a desire to act in accordance with them given that one's willingness or unwillingness to execute the laws of nature has no influence on their obligatory status.

Consider Hampton's example: what makes the proposition *true* that an antibiotic works better than a herbal medicine is not dependent on a belief. Rather, what makes the proposition true is an *objective* fact about the medicine.<sup>35</sup> Similarly, what makes the desire for preservation a *true* desire is not that some individual actually values survival, rather, what makes it true is a certain fact about life, namely: even if survival is not on my mind, but tonight's dinner, book, friend or holiday is, they have at least one thing in common: I ought to live to enjoy whatever it is I value. The need for preservation is 'a real necessity of nature as powerful as that by which a stone falls downwards'.<sup>36</sup> One's survival is not part of the realm of objectives one can define as either good or bad based on subjective preferences. Rather, survival *as a law of nature* is a necessity; it is a fact one has to survive to enjoy whatever it is one has defined as good. One ought not to value survival in itself or because one's preservation is commanded by God. The reason why reason dictates nature's preservation to all is because all value something.<sup>37</sup>

This also means that peace can be valued: one is still allowed to call peace good. In fact, Hobbes argues that '[r]eason teaches that *peace is good*'.<sup>38</sup> The ability to value a law of nature does not trouble the distinction between the moral on the one hand and the good on the other. Rather, what makes a law of nature a fact are certain facts about the world, whereas our ability to call peace good is dependent on our ability to value things. That ability does not *make* the law of nature a fact. The laws of nature *as true moral facts* remain independent of one's subjective preferences. As argued in the previous chapter, I very much value the fact that the earth is a sphere: it makes for a center of gravity that makes the gravitational pull near constant anywhere on this planet. However, my judgment of the earth's shape has no influence on the earth's shape. Likewise, my opinion of the laws of nature that aim for nature's preservation is easy to judge as good; however, my opinion does not change its truth or its obligatory status.

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<sup>35</sup> Hobbes makes a similar claim to Railton. Railton argues that Lonnie – a person in need of a glass of water instead of milk – has an objective interest for water because of a set of objective facts that make water's goodness in this particular case. What does not make it good is Lonnie's fully rational, yet subjective, desire to want water instead of milk. See Railton, 'Moral Realism', 173-175.

<sup>36</sup> DCv 1.7

<sup>37</sup> See the final section of this chapter where I defend the view that all desire something. Check chapter 8 section I for the pursuit of transcendental values.

<sup>38</sup> DCv 3.31

If one assumes, as orthodoxy does, that moral matters are based on a subjective theory of the good then Hobbes would have to be a relativist. One would have no ground to judge attitudes towards moral matters by. However, Hobbes argues otherwise, as one can be right or make mistakes on such matters, as argued in the previous chapter – morality is like arithmetic where ‘unpractised men must, and professors themselves may, often err and cast up false, so also in any other subject of reasoning, the ablest, most attentive, and most practised men may deceive themselves and infer false conclusions’<sup>39</sup>

If one can err, if one can make mistakes, then there must be an objective standard to judge those mistakes by. It *must* be an objective standard because any other type of standard that includes subjective elements will miss the point. If one would want to take Hobbes’s words here to mean that one can be wrong measured on an intersubjective scale, one would have to define what an intersubjective scale of preservation would look like. Such a standard would first and foremost have to refer to the standard of death versus preservation, which is an objective standard through and through. One’s status as ‘alive’ or ‘dead’ is measured by a mind-independent test — one’s heart beat, for instance. To judge someone as ‘alive’ cannot rationally rely on a subjective judgment. So too for the standard Hobbes refers to when discussing moral matters. It is the extent to which an act or manner is helpful towards one’s survival which makes some acts moral as opposed to unhelpful acts immoral. The fundamental law of nature defines that objective standard, independent of anyone’s contingent beliefs or opinions:

A law of nature, *lex naturalis*, is a precept, or general rule, found out by reason, by which a man is forbidden to do that which is destructive of his life, or taketh away the means of preserving the same, and to omit that by which he thinketh it may be best preserved.<sup>40</sup>

The fundamental law of nature enables Hobbes to clarify two points about morality. First, morality judges an act right or wrong according to its ability to conserve nature. An act is therefore not good *in itself*; rather, an act is good because it enhances nature’s chances to preserve, which is the law of nature’s *aim*.<sup>41</sup> This means that the act is judged morally right solely

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<sup>39</sup> L 5.3

<sup>40</sup> L 14.3

<sup>41</sup> More on the inclusion of an aim — a final cause — in the following two chapters, especially chapter 4 section I.

with reference to its objective instead of its subjective consequences, such as one's subjective willingness to comply. Second, the fundamental law therefore defines an *objective* standard, which one can discover through the use of reason. The sentence that the law of nature has to be applied whenever one '*thinketh* it may be best preserved' shows the law can only be applied by those who possess reason since one cannot be obliged to act according to a law which requires one to reason about its correct implementation. It is important to Hobbes's moral theory to highlight the idea that the word '*thinketh*' signifies only those capable of reasoning are obliged. The word '*thinketh*' does *not* show the laws of nature are to be endeavoured or executed at will and obligatory only due to one's self-imposed duties. Rather, one is always obliged to at least endeavour to execute the laws of nature independent of one's attitude or preferences. Animals and new-born children are on the other hand not obliged, because those 'not having the use of reason, they are totally exempt from duties'.<sup>42</sup>

The laws of nature adhere to an objective standard, which enables the truth-aptness of moral propositions. A moral proposition is true or false based on certain facts about the world. The subjective interpretations as defended by Goldsmith, Hampton, *et al.* all hinge on the idea that it is the *rational* individual who would opt to endeavour and execute the laws of nature *and* that the rational individual as such will impose on herself the obligation to preserve herself. In other words, it is an individual's subjective desire that *makes* the law of nature obligatory: if only one could realise their true interests and step away from their apparent beliefs, if only one preferred what one ought to prefer, then all would execute the laws of nature. In other words, the preference for preservation is still dependent on the subject; his or her preference *makes* the preference a *true* preference, given the assumption of complete rationality. I disagree: it is not the subject's preferences that *make* a moral proposition true, but the objective facts about the world – some acts are always better at preserving peace than others. The laws of nature are true independent of any individual actually holding these interests, even independent of any individual with full information, however likely or certain it might be that rational individuals would act according to the laws of nature (which they would).

The truth-value of a law of nature is at no time seen as dependent on one's time and place. Rather, contingencies such as: (a) the probability others will attack you, (b) the number of opponents one faces, (c) the intentions of others etc., are already described and included in the definition of the fundamental law of nature. Again, one has 'to omit that by which he *thinketh* it

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<sup>42</sup> DCv, Preface, 11

may be best preserved'.<sup>43</sup> One is at all times obliged to use reason because one continually has to judge each situation as 'safe enough' to act in accordance with the civil law. And again, when Hobbes argues that, '[f]rom this fundamental law of nature, by which men are commanded to endeavour peace, is derived this second law: that a man be willing, *when others are so too*, as far forth as for peace and defence of himself *he shall think it necessary*, to lay down this right to all things'.<sup>44</sup> This underlines the idea that the obligation to execute the laws of nature are dependent on one's circumstances. One's *in foro externo* obligations are independent of one's *in foro interno* obligations. The laws of nature remain true because the laws of nature are obligatory only to the extent one is obliged to use reason, and reason will provide you with the correct interpretation of the law of nature.<sup>45</sup> One can only apply the ideal of seeking peace *when others are so too*. Only when one *thinketh* the laws of nature can be executed, such that peace will result, is one obliged to fulfill such duties *in foro externo*.<sup>46</sup> Hobbes's inclusion of these 'validating conditions', as Warrender calls them, shows they can be categorically obligatory because only if circumstances are such that you are able to execute them are you obliged to act accordingly.<sup>47</sup> Unwilling or hostile circumstances do not contradict the idea that one remains obliged *in foro interno*: one is merely obliged to endeavour the laws of nature be executed.

Not only do the laws of nature 'sound' objective, it is also apparent from Hobbes's projects that he thought that morality was a science which aims to proffer universal propositions that are truth-apt. The following section helps to understand why Hobbes's moral theory cannot be based on Hobbes's theory of the good: Hobbes believed morality to be subject to the workings of reason whereas our judgments of what we deem good or evil are not. Morality is a universal project whereas the good remains an individual matter.

### III. A moral science

There is another reason why Hobbes's subjective theory of the good and his objective moral theory are not necessarily linked. Whereas the good is whatever one desires, Hobbes views morality as a science in its own right, subject to reason. The two theories have different foundations.

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<sup>43</sup> L 14.3, emphasis added

<sup>44</sup> L 14.5, emphasis added

<sup>45</sup> I defend the claim that one is obliged to use reason at all times, also in a commonwealth, in chapter 5 section I.

<sup>46</sup> L 15.38

<sup>47</sup> Warrender, *Philosophy of Hobbes*, 14-17

The laws of nature are objective, 'unalterable', and independent of anyone's arbitrary preferences that one is allowed to change from day to day without contradicting one's self. One's arbitrary preferences, on the other hand, makes good whatever one judges good to one alone. Such judgments are wholly dependent on the individual, such that the good changes as quickly (or slowly) as one's preferences change. If one prefers a cup of tea on Tuesday, one is still allowed to prefer coffee on Wednesday. There is nothing contradictory in those preferences.<sup>48</sup> Not so for the laws of nature, which are according to Hobbes, '[t]he true doctrine of [which] is the true moral philosophy'.<sup>49</sup> Morality concerns the 'conclusions or theorems concerning what conduceth to the conservation and defence of themselves'; moral acts are those that enhance one's chances to survive.<sup>50</sup> Moral philosophy is a science, which has set answers to a particular set of questions. Where biology answers questions on living organisms, and physics answers questions on the nature and properties of matter and energy, the question the science of morality answers is: what is conducive to one's preservation?

The cause of war is not that men are willing to have it; for the will has nothing for object but good...Nor is it from this, that men know not that the effects of war are evil; for who is there that thinks not poverty and loss of life to be great evils? The cause, therefore, of civil war is, that men know not the causes neither of war nor peace...*Now the knowledge of these rules is moral philosophy.*<sup>51</sup>

The moral virtues are the means of peace – '*justice, gratitude, modesty, equity, mercy*, and the rest of the laws of nature' – and all that is contrary to peace are vices.<sup>52</sup> 'The fundamental law of nature aims for peace and self-defence, from which another nineteen (*Leviathan*) or twenty (*De Cive*) laws are derived. Some promote the moral virtues, such as keeping covenants; others advocate against the moral vices, such as cruelty.<sup>53</sup> The answers and solutions one finds in the field of civil philosophy, are unique and closed for deliberation: '*The natural law is not an*

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<sup>48</sup> One can still formulate untrue preferences. For instance, whenever one actually prefers tea, yet, states one prefers coffee, one thus states a wrong proposition. However, its incorrectness remains dependent on one's subjective preferences instead of an external objective standard. In effect, truth and falsity remain subjective.

<sup>49</sup> L 15.40

<sup>50</sup> L 15.41

<sup>51</sup> DeCorp, 1.7

<sup>52</sup> L 15.40

<sup>53</sup> Gert, 'The Law of Nature as the Moral Law', 26-44



*agreement between men, but a dictate of reason*'.<sup>54</sup> What strengthens the idea that moral philosophy is not a choice between good and evil is Hobbes's idea of what philosophy is, namely: any subject where reason can be applied. This excludes Hobbes's theory of the good as an integral part of his moral theory since reason cannot differentiate between one's subjective desires — between one's idea of the good and evil.

Reason can be applied wherever one 'conceive[s] a sum total, from addition of parcels; or conceive a remainder, from subtraction of one sum from another'<sup>55</sup>. To add and subtract does not imply reason pertains only to mathematics. Hobbes is adamant that reason applies to moral and political matters too:

*These operations are not incident to numbers only, but to all manner of things that can be added together, and taken one out of another. For as arithmeticians teach to add and subtract in numbers, so the geometricians teach the same in lines, figures (solid and superficial), angles, proportions, times, degrees of swiftness, force, power, and the like; (...) Writers of politics add together pactions to find men's duties; and lawyers, laws and facts to find what is right and wrong in the actions of private men. In sum, in what matter soever there is place for addition and subtraction, there also is place for reason; and where these have no place, there reason has nothing at all to do.*<sup>56</sup>

Reason is thus the adding or subtracting of parts *causally* related to another:

*PHILOSOPHY is such knowledge of effects or appearances, as we acquire by true ratiocination from the knowledge we have first of their causes or generation: And again, of such causes or generations as may be from knowing first their effects.*<sup>57</sup>

Due to the definition of philosophy as any matter which deals with (a) matters where reason can be applied in a (b) causal fashion, many sciences, if not all, are capable of being defined as a philosophy, including moral matters. Where we are more likely today to distinguish between, for

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<sup>54</sup> EL table of contents to chapter 2

<sup>55</sup> L 5.1

<sup>56</sup> *ibid.*, emphasis added

<sup>57</sup> DeCorp 1.2

instance, the physical sciences from the social sciences, Hobbes employed the language of philosophy of motion and civil philosophy. Whatever subject one prefers – be it geometry, physics, or morals, according to Hobbes, it is all philosophy, and likewise, it is all a science:

*Philosophy is divided into as many branches as there are areas where human reason has a place, and takes the different names which the difference of subject matter requires. In treating of figures it is called Geometry, of motion Physics, of natural law, Morals, but it is all Philosophy'.<sup>58</sup>*

Raphael points out that the words science and philosophy did not signify any difference in the seventeenth century: 'The one word was Latin, the other Greek, that was all'.<sup>59</sup> Their equivalence shows in Hobbes's essay titled *Seven Philosophical Problems and Two Propositions of Geometry*. The first three 'philosophical' problems Hobbes tackles are gravity, the tides, and vacuum — problems which today require the attention of a scientist instead of a philosopher.<sup>60</sup> Hobbes placed himself as a civil philosopher among a long list of natural philosophers. He did not do so because he thought the two sciences had identical methods, however, he did think that both sciences had a methodology that both had to adhere to. The list of natural philosophers is made up of those Hobbes thought executed their field of study in a proper manner due to their methodology; he did not rank them simply based on their conclusions. For example, Copernicus was the first *proper* astronomer thanks to his method, though his 'hypothesis of the earth's diurnal motion was the invention of the ancients'.<sup>61</sup> It is not the right conclusion which makes one a scientist or philosopher; it is the right method. After Copernicus, many more philosophers applied a correct method in their field:

After him, the doctrine of the motion of the earth being now received, and a difficult question thereupon arising concerning the descent of heavy bodies, Galileus in our time, striving with that difficulty, was the first to open to us the gate of natural philosophy, which is the knowledge of the nature of *motion*. So that neither can the age of natural philosophy be reckoned higher than to him.

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<sup>58</sup> EL Epistle Dedicatory, 5

<sup>59</sup> Raphael, *Morals and Politics*, 18

<sup>60</sup> SPP, 7-24

<sup>61</sup> DeCorp, Epistle Dedicatory, viii

Hobbes then singles out Doctor Harvey and argues 'there was nothing certain in natural philosophy but every man's experiments to himself (...) But since these, astronomy and natural philosophy in general have, for so little time, been extraordinarily advanced by Joannes Keplerus, Petrus Gassendus, and Marinus Mersennus'.<sup>62</sup> Hobbes continues his argument by placing himself in this line of philosophers, saying 'Civil Philosophy [is] yet much younger, as being no older (I say it provoked, and that my detractors may know how little they have wrought upon me) than my own book *De Cive*'.<sup>63</sup> On his own records, Hobbes was the first moral philosopher due to his use of correct method to the field of moral and political matters; a field of study where reason can be applied similar to the use of reason in the exact sciences. Hobbes paints a picture of certain world peace, if only the methods of the exact sciences were used in moral philosophy:

The Geometers have managed their province outstandingly. For whatever benefits comes to human life from observation of the stars, from mapping of lands, from reckoning of time, and from long-distance navigation, whatever is beautiful in buildings, strong in defence-works and marvelous in machines, whatever in short distinguishes the modern world from the barbarity of the past, is almost wholly a gift of *Geometry*; for what we owe to *Physics*, *Physics*, owes to *Geometry*. If the moral Philosophers had done their job with equal success, I do not know what greater contribution human industry could have made to human happiness. For if the patterns of human action were known with the same certainty as the relations of magnitude in figures, ambition and greed, whose power rests on the false opinions of the common people about right and wrong [*jus et iniuria*], would be disarmed, and the human race would enjoy such secure peace that (apart from conflicts over space as the population grows) it seems unlikely that it would ever have to fight again.<sup>64</sup>

Hobbes thus elevates moral matters from our subjective preferences concerning the good, or the right, since such matters cannot be resolved through the use of reason. Hobbes makes it clear on many occasions that such matters cannot be resolved but by convention only:

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<sup>62</sup> DeCorp, Epistle Dedicatory, viii-ix

<sup>63</sup> DeCorp, Epistle Dedicatory, ix

<sup>64</sup> DCv Epistle Dedicatory, 4-5

Since such opinions arise every day, anyone who dispels those clouds and shows by the soundest reasoning that there are no authentic doctrines of just and unjust, good and evil, except the laws established in each commonwealth, and that question as to whether an action will be just or unjust, good or evil, should be addressed to those mandated by the commonwealth to interpret its laws...<sup>65</sup>

Differences between our ideas of the good and the right, between those things that we believe to have value, cannot find a 'higher' or 'rational' answer. People will have to either agree to disagree, or find a person who takes on the job of 'solving' these differences. Since Hobbes argues the former necessarily ends up a quarrel, we are forced to opt for the latter.<sup>66</sup> Besides matters on the good and the right, subjects excluded from reason are: theology, the doctrine of angels, history, knowledge acquired by Divine inspiration, astrology, and God's worship. God is 'eternal, ingenerable, incomprehensible'; angels 'are thought to be neither bodies nor properties of bodies; and, Divine grace is considered supernatural, not derived to us by reason'. In effect, all knowledge outside the scope of philosophy is knowledge that cannot be derived at through the use of reason.<sup>67</sup> Values remain strictly personal whereas morality is subject to reason's demands, which all individuals possess: '[r]eason is no less the nature of man than passion, and is the same in all men'.<sup>68</sup> Reason is alike in all, such that 'reason itself...changes neither its end...nor its means, namely those virtues of character which we have laid out above, and which can never be repealed by either custom or civil laws'.<sup>69</sup> In short: whereas values are dependent on one's *personal* preferences, morality is based on *universal* features of the world.

As such, the laws of nature *can* be derived at through the use of reason – they are the very dictates of right reason that answer the question 'what conduces to one's preservation?'<sup>70</sup> The answers are found in the laws of nature, '[t]he true doctrine of [which] is the true moral philosophy'.<sup>71</sup> The difference between the subjective theory of the good and the objective moral theory is summed up in Hobbes's words '*that knowledge of good and evil is a matter for*

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<sup>65</sup> DCv Preface to the Readers, 9-10

<sup>66</sup> L 13.7

<sup>67</sup> For a great interpretation of science and non-science see Sorell, 'Hobbes's Scheme'.

<sup>68</sup> EL 15.1

<sup>69</sup> DCv 3.29

<sup>70</sup> L 15.41

<sup>71</sup> L 15.40

*individuals*'.<sup>72</sup> The objects that one considers good or bad can potentially and arbitrarily change from day to day dependent on one's forever-changing preferences. One's ideas about the good remain strictly personal, in other words subjective. Such ideas should be left to a social convention, which decides there can only be one individual, or a group of individuals who speak as one, that are able to decide what is the good, what is just and unjust. The natural law, however, is not something one can debate: '*The natural law is not an agreement between men, but a dictate of reason*'.<sup>73</sup> Moral philosophy is a science in its own right, and science aims to formulate universal propositions that are truth-apt: 'For Philosophy opens the way from the observation of individual things to universal precepts'.<sup>74</sup>

A true moral philosophy, unalterable, immutable and eternal, is not the language one expects from an advocate of a subjective moral theory. The following section furthers the argument that, instead, Hobbes is a moral realist who believes the objective facts surrounding one's preservation are the foundation of his moral theory. Morality is independent of one's idea of the good; morality is dependent on certain facts concerning one's preservation.

#### IV. To live is to desire

Morality is objective, yet I argue that the laws of nature are not moral imperatives in the sense that dissent interpreters have argued: Hobbes at no point argues that one's preservation *ought* to be valued *because* one's preservation is valuable in itself. Rather, I argue that nature's preservation is a necessity given man's shared nature: the fact that all desire something. The laws of nature therefore *do* depend on desires, but not any one *particular* desire. As long as one desires – whatever that desire might be – one ought to act according to the laws of nature.

As argued before, dissent does not believe Hobbes commits the naturalistic fallacy given 'Hobbes's ethical doctrine proper...is a very strict deontology, curiously suggestive, though with interesting differences, of some of the characteristic theses of Kant'.<sup>75</sup> Warrender, Hood, and Martinich have all interpreted Hobbes as a religious thinker and agree that the law of nature is a categorical imperative that argues one ought to act in accordance with the laws of nature because one's preservation has value, independent of one's preferences: one ought to preserve

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<sup>72</sup> DCv 12.1

<sup>73</sup> EL contents to chapter 2

<sup>74</sup> DCv Epistle Dedicatory

<sup>75</sup> A.E. Taylor, 'The Ethical Doctrine of Hobbes' of 1938, 408

nature because God commands so.<sup>76</sup> There are physical obligations such as the laws of natural science, but the 'second type of obligation—the obligation to obey God...is...the normal meaning of the term'.<sup>77</sup> The *ought* Hobbes inserts in the laws of nature is not derived from an *is*; instead, 'one ought to x because one ought to value y'. The source of that value — be it God or reason — I leave until later chapters. For now, it is only of importance that 'one's survival', or 'nature's preservation', is seen as an objective value by dissent.

However, 'one's survival' is not an objective value. One's preservation rather is an analytical necessity in our pursuit of whatever it is we value. One need not value survival, rather, one needs to be able to value in the most general sense of the word to know that one ought to preserve one's self to enjoy whatever it is one values.

Hobbes's novelty to separate his moral theory from his theory of the good is based on the belief that preservation is the answer to the field of morality: moral matters are matters of survival, of preservation. As argued in the previous chapter, contemporary moral theories argue a necessary link between one's theory of the good and one's moral theory. Whenever one's theory of the good changes, one's moral theory changes accordingly. A moral theory does not supervene on one's theory of the good since the good underdetermines one's moral theory.<sup>78</sup> In other words, a change in one's theory of the good does not *necessitate* a change in one's moral theory. However, one's moral theory does limit the possibilities one has in formulating a moral theory: the latter cannot contradict one's theory of the good.

For example, if one were to argue that one's autonomy has ultimate value, it would be a contradiction to argue that one's moral theory prescribes it is unproblematic to treat others merely as means.<sup>79</sup> Any moral theory that prescribes treating others merely as means would have to be based on a different theory of the good. Hobbes's moral theory, however, does not have such a link with his theory of the good; rather, his moral theory is based on the *necessity* that is one's preservation.

Hobbes argues it a necessity based on human nature, which in its most fundamental form can be described in 'two absolutely certain postulates'. The first of which is man's greed, 'by

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<sup>76</sup> A.E. Taylor, 'The Ethical Doctrine' of 1938, 422; Warrender, *Philosophy of Hobbes*, 10; Hood, *The Divine Politics*, 115-116; Martinich, *Two Gods of Leviathan*, 71-72

<sup>77</sup> Warrender, *Philosophy of Hobbes*, 10

<sup>78</sup> The argument is similar to Raz's remark that 'morality underdetermines the law'. See Raz, 'Authority and Interpretation', 152-193.

<sup>79</sup> It is possible to argue that autonomy has value, yet is trumped by other values, such as security. In this case, autonomy has ultimate value, which means no other value overrides autonomy.

which each man insists upon his own private use of common property'; the second is 'the postulate of natural reason, by which each man strives to avoid violent death as the supreme evil in nature'.<sup>80</sup> In *Leviathan* the very same side of human nature is described, but this time Hobbes argues it alongside a method that reveals how one can discover that side of human nature in one's self — a side that is common to all, as Hobbes argues:

There is another saying...by which they might learn truly to read one another, if they would take the pains; and that is, *nosce teipsum, read thy self*, which was [meant]...to teach us that for the similitude of the thoughts and passions of another, whosoever looketh into himself and considereth what he doth, when he does *think, opine, reason, hope, fear, &c.* and upon what grounds, he shall thereby read and know, what are the thoughts and passions of all other men upon the like occasions.<sup>81</sup>

Hobbes does not propose that all would define the good similarly; rather, he means 'the similitude of *passions*, which are the same in all men, *desire, fear, hope, &c.*, not the similitude of the *objects* of the passions'.<sup>82</sup> In arguing so, Hobbes makes a distinction between (a) those acts and objects, which are part of one's theory of the good and are likely to differ between individuals, and (b) the passions and rationality, which make men necessarily strive for survival, which is common to all. One requires the faculty of reason to see that the satisfaction of one's desires requires survival. That common nature is thus man's necessary want for more, which even applies to those that have achieved that they had set out to achieve, 'for while we live, we have desires, and desire presupposeth a farther end'.<sup>83</sup> One does not seek pleasure, and stops desiring pleasures once one has achieved the aim. On the contrary, one seeks 'continual delight', which 'consisteth not in having prospered, but in prospering'.<sup>84</sup> People look for a state of felicity, which is a state of 'continual prospering' or '*continual success*'.<sup>85</sup> This need for desire is universal: 'I put for a general inclination of all mankind, a perpetual and restless desire for power after power, that ceaseth only in death'.<sup>86</sup> Success Hobbes relates to a subjective sense of prospering, of achieving

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<sup>80</sup> DCv Epistle dedicatory, 6

<sup>81</sup> L Introduction

<sup>82</sup> L Introduction

<sup>83</sup> EL 7.6

<sup>84</sup> EL 7.7

<sup>85</sup> L 6.58

<sup>86</sup> L 11.2

one's desires, and 'life...can never be without desire', and on a similar note, 'all sense is conjoined with some appetite or aversion, and not to feel is not to live'.<sup>87</sup> In short, 'to have no desire is to be dead'.<sup>88</sup>

Given that all desire *something*, it is a necessary fact of life that one ought to preserve one's self if one wants to enjoy those desires. Here I need to go back to the discussion in the previous section of this chapter on true belief instrumentalism. I differ from such interpretations which believe Hobbes thought that 'any act is rational if it is one an individual *would* determine he *should* take to fulfill his present desires *if* he had true beliefs'.<sup>89</sup> I do not disagree with the statement *an sich* — I agree that a fully rational individual would desire some goods over others, such as her preservation. More importantly though, I disagree with the link that Hampton and others make between such rational desires and Hobbes's moral theory. Hobbes argues that the greatest of goods is one's own preservation — a *real* instead of an *apparent* good.<sup>90</sup> However, Hobbes never applies a true belief instrumentalism to what makes some goods (theory of the good) worthy to be pursued (moral theory). In other words, just because Hobbes argues that nature's preservation is a real good does not mean that Hobbes's moral theory is *therefore* based on *that* particular good, let alone on any sort of theory of the good.

The reasons that Hobbes calls one's preservation a real good on the one hand *and* a law of nature on the other, ought not to be mixed. Hobbes calls one's preservation a real good because, indeed, all rational individuals would judge their preservation a good, similar to my remark earlier that one's preference for an antibiotic over a herbal medicine is a desire that is real — in other words, rational. Yet, the truth of the proposition that 'antibiotics are more effective than herbal medicines' does not rely on any subjective statement, nor does the statement that 'one ought to act for the sake of nature's preservation' *become* true given certain subjective preferences. Similarly, the proposition does not become false as soon as one *does not* desire one's survival. Rather, the laws of nature are true because 'it is necessary to desire life, health, and further, insofar as it can be done, security of future time'.<sup>91</sup> It is a necessity because all people desire something and only those alive are able to enjoy that something.

The obligatory status of the laws of nature — what makes them *true* — are dependent on

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<sup>87</sup> L 6.58; DH 11.15

<sup>88</sup> L 8.16; For similar arguments concerning the inevitability of having desires see Kavka, *Hobbesian Moral and Political Theory*, 15-17; and, Darwall, 'Normativity and Projection', 8.

<sup>89</sup> Hampton, *Social Contract Tradition*, 36

<sup>90</sup> DH 11.6

<sup>91</sup> DCv 1.7



the descriptive (therefore, non-moral) fact that all desire something. Hobbes's moral theory answers the question 'what acts are most conducive to nature's preservation?' and formulates universally true propositions, that are made moral by the definition that Hobbes gives to morality, which is: an act's ability to preserve nature. Morality therefore does not cover 'the good', and one's judgment of what makes some things good to one or someone else has no influence on the obligatory status of the natural laws. What does give them their obligatory status is their ability to enhance one's chances to survive.

To go back to the original debate between the laws of nature as prudential or categorical imperatives, Hobbes argues they are prudential. They are hypothetical based on those that actually value something. However, Hobbes is adamant to point out that all in fact do value something. In the final chapter of this thesis I argue that even those who believe there are greater goods to enjoy in the afterlife in search for eternal salvation, are advised to act according to the laws of nature. In effect, potential martyrs are advised to remain obedient to the powers that be. The natural law is prudential, but applicable to all nonetheless. It is theoretically possible that there are people, somewhere, or at some time, who do not value *anything*. For consistency's sake, Hobbes would have to agree that the natural law does not apply to them. Hobbes, however, does not discuss such a possibility, and for good reasons. The British Civil Wars showed that people cared enough about all sorts of ideas. Even though Hobbes thought it irrational to go to war over such ideas, those militants did show what Hobbes thought 'natural': all desire something. The possibility of encountering an individual stripped from any desire is highly unlikely, which justifies Hobbes's silence on the matter.

#### **V. The objectivity and subjectivity of moral factualism**

So far I have used the terms objective and subjective without a need to define them rigidly. The term objective refers to objects that are mind-independent, in the sense that the computer that I use right now exists independent of my feelings or dispositions towards it. The computer is simply there, unaware of my thoughts which have no influence on the computer's existence. Subjective means mind-dependent, such that my opinion of the Rolling Stones, as better than the Beatles, does not contradict someone else's (foolish) opinion that the Beatles are somehow better than the Rolling Stones. We are supposed to 'agree to disagree' when it comes to subjective matters, without contradiction. Our subjective opinions are namely not part of the object one judges; our opinions are part of the subject who ascribes them to an object. Yet, Wiggins argues this does not make for a unique dichotomy between mind-dependent features on the one hand, and mind-

independent on the other. Rather, Wiggins argues that there are two dichotomies. The first is objective versus non-objective; the second is subjective versus non-subjective.<sup>92</sup> Applying Wiggins' dichotomies, I argue that Hobbes's moral factualism is objective *and* subjective.

The first dichotomy — objectivity/ non-objectivity — states that 'a subject matter is objective if and only if enough of the questions that are posed within it admit of answers that are substantially true'.<sup>93</sup> Objectivity in this sense resembles cognitivism, which is to argue that moral propositions are beliefs that are *apt* for truth and falsity.<sup>94</sup> One example of a moral cognitivist proposition could be: 'slavery is wrong'. As Jackson argues: 'The statement...is truth-valued in the substantial sense that the statement purports to represent how things are, and counts as true precisely when it gets the way things are right, that is, when slavery does indeed have the property of being wrong'.<sup>95</sup> Likewise, Blackburn's description of mankind which has rapidly changed its judgment of the maltreatment of animals from unacceptable to morally acceptable 'does nothing at all to make it permissible: it just means that everybody has deteriorated'.<sup>96</sup> In other words, the proposition 'maltreating animals is wrong' is thus *true*, independent of any one's arbitrary opinion.

Non-objectivity argues it does not make sense to judge a moral proposition true or false. Non-objectivity thus equals non-cognitivism, which is the doctrine that nothing is inherently wrong. One possible version of non-objectivity is emotivism or expressivism, which argue that:

We are not making an effort to describe the way the world is. We are not trying to report on the moral features possessed by various actions, motives, or policies. Instead, we are venting our emotions, commanding others to act in certain ways, or revealing a plan of action. When we condemn torture, for instance, we are expressing our opposition to it, indicating our disgust at it, publicizing our reluctance to perform

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<sup>92</sup> Wiggins, *Ethics*, chapter 12

<sup>93</sup> Wiggins, *Ethics*, 359; other moral realists have defended a similar definition of moral objectivity. See Boyd, 'How to be a Moral Realist' and Railton, 'Moral Realism'.

<sup>94</sup> Cognitivists are therefore not automatically realists. 'The cognitivist holds that ethical statements make claims about how things are. Realism holds in addition that the claims so made are on the appropriate occasions true things really are the way they are claimed to be'. Jackson, 'Critical Notice of Hurley', 203

<sup>95</sup> Jackson, 'Critical Notice of Hurley', 200

<sup>96</sup> Blackburn, 'Phenomenology of Values', 14

it, and strongly encouraging others not to go in for it. We can do all of these things without trying to say anything that is true.<sup>97</sup>

An orthodox interpretation of Hobbes is similar to the extent that arguing a law of nature applies to one's self is to express one's preference for one's preservation. Preservation, as a moral requirement, is in the hands of man. The statement that 'a man is forbidden to do that which is destructive of his life' is true for any one who wants to survive.<sup>98</sup>

Hobbes disagrees; he is an objectivist, describing the law of nature as the 'the true moral philosophy'.<sup>99</sup> '[T]he law of nature is 'a dictate of right reason'; and reason's ways are not dependent on an individual's preferences since 'reason itself...changes neither its end...nor its means, namely those virtues of character which we have laid out above, and which can never be repealed by either custom or civil laws'.<sup>100</sup> Hobbes is an objectivist in the sense that questions relating to the moral sciences admit of answers that are substantially true. He is therefore unsurprisingly a moral realist because he not only believes that the laws of nature are truth-apt; he also believes the laws of nature *are* true. According to Wiggins' first dichotomy — objective/non-objective — Hobbes's moral theory is objective.

According to Wiggins' second dichotomy — subjective/non-subjective — Hobbes's moral theory is subjective. The dichotomy concerns the metaphysical status of objects or ideas. 'A subject matter is subjective if it pertains to/arises from the states, responses, etc. of *conscious subjects* and if questions about this subject matter are answerable to a standard that is founded in these states, responses (etc.) of subjects'.<sup>101</sup> For moral subjectivists, there is no moral standard 'out there' independent of man. In other words, man *makes* morality exist because morality without human beings simply makes no sense. To have a non-subjective moral theory is to argue that morality exists without a need for individuals to exist, for which Plato's *transcendental* world of Forms and Descartes' innate ideas concerning geometrical figures spring to mind. Both Plato and Descartes believe that triangles exist independent of an individual having made or let alone seen one. Hobbes criticises such non-subjective beliefs: 'Were the triangle to exist nowhere in the world, I fail to understand how it has a nature, for what exists nowhere does not exist and

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<sup>97</sup> Shafer-Landau, *Fundamentals of Ethics*, 293

<sup>98</sup> Hobbes's Law of Nature as defined in L 14.3

<sup>99</sup> L 15.40

<sup>100</sup> DCv 1.15, and 3.29

<sup>101</sup> Wiggins, *Ethics*, 370

therefore has no being [esse] or nature. The triangle in the mind takes its origin from a triangle we have seen or else from one conjured up from ones we have seen'.<sup>102</sup> Hobbes is a subjectivist when it comes to geometrical figures, and his moral theory is subjective for the same reasons, which Gaskin has dubbed Hobbes's one-world realism.<sup>103</sup>

All substance is material — no substance exists without matter. This applies also to ideas that need human beings to hold an idea. 'The view is flatly contrary to Plato's and Descartes's, and most religious accounts of reality as dualistic: body *and* spirit, perishable flesh *and* immortal soul, this world *and* the next world, material substance *and* immaterial substance'.<sup>104</sup> Because all substance is necessarily material, Hobbes cannot possibly hold the view that there is a morality 'out there', independent of any one's mind, and by extension, one's body. Morality exists by the grace of an individual who morality applies to. If there weren't any people left to save or kill, morality would not make sense since 'wrong can only be done to *someone*'.<sup>105</sup>

Hobbes thus argues morality is dependent on a mind in line with his one-world realism: no idea can exist without a subject able to entertain the idea. However, he is not forced to argue the contents of morality are therefore similarly dependent. The *form* of morality is subjective in the sense that morality needs individuals to exist. However, *the contents* of morality are set – *immutable* and *eternal*. The truth-values of the laws of nature are objective, independent of any one's desires, dispositions, or beliefs. Railton offers a similar objective theory of value: one that is objective yet needs individuals to make sense of. Railton's distinction between a *relational* notion of goodness versus an *absolute* notion of goodness mirrors Wiggins' subjective/non-subjective dichotomy:

It should perhaps be emphasized that although I speak of the objectivity of value, the value in question is human value, and exists only because humans do. In the sense of old-fashioned theory of value, this is a relational rather than absolute notion of goodness. Although relational, the relevant facts about humans and their world are objective in the same sense that such nonrelational entities as stones are: they do not depend for their existence or nature merely upon our conception of them.<sup>106</sup>

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<sup>102</sup> TO Objection XIV, against Meditation V

<sup>103</sup> Gaskin in EL introduction

<sup>104</sup> *ibid.*

<sup>105</sup> DCv 3.4

<sup>106</sup> Railton, 'Moral Realism', 183

Hobbes is remarkably modern to offer an objective-subjective moral theory; by which I don't mean he is 'modern' in the sense that historians apply the word 'modern' to 17th-century thought. I mean modern in the sense that today's moral theorists care less about the metaphysical claims underpinning a moral proposition. As T.M. Scanlon argues:

What drives me to look for a characterisation of the subject matter of judgments of right and wrong...is not a concern about the metaphysical reality of moral facts. If we could characterise the method of reasoning through which we arrive at judgments of right and wrong, and could explain why there is good reason to give judgments arrived at in this way the kind of importance that moral judgments are normally thought to have, then we would, I believe, have given a sufficient answer to the question of the subject matter of right and wrong as well. No interesting question would remain about the ontology of morals — for example, about the metaphysical status of moral facts.<sup>107</sup>

In line with his objective/subjective theory of value, Peter Railton offers a moral realist theory that is equally objective *and* subjective. He explains that Plato's belief in a transcendental world of Forms, or Descartes' belief in *a priori* innate ideas, are beliefs that are irrelevant to what should be considered relevant and significant to realist theories. In other words, moral realism's claim to objectivity is not played out along Wiggins' subjectivity/non-subjectivity dichotomy which solely focuses on the metaphysical question. Railton dubs non-subjective theories *cosmic*. Moral realism should and does focus on the other dichotomy; on objectivity/non-objectivity.

A teacher of mine once remarked that the question of moral realism seemed to him to be the question whether the universe cares what we do. Since we have long since given up believing that the cosmos pays us any mind, he thought we should long since have given up moral realism. I can only agree that if this were what moral realism involved, it should — with relief rather than sorrow — be let go. However, the account offered here gives us a way of understanding how moral values or imperatives might be objective without being cosmic. They need be grounded in nothing more

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<sup>107</sup> Scanlon, *What We Owe to Each Other*, 2

transcendental than facts about man and his environment, facts about what sorts of things matter to us, and how the ways we live affects these things.<sup>108</sup>

Hobbes does exactly that: he offers a theory that answers questions related to ‘facts about man and his environment, facts about what sorts of things matter to us, and how the ways we live affects these things’ irrespective of metaphysical worries.<sup>109</sup> Hobbes is a moral realist who bases his moral propositions on certain facts of human nature. The first fact is man’s willingness to survive given an individual always has something to live for. The second is man’s ability to use reason — a power strong enough to keep us alive and alike for all. Both facts make Hobbes’s moral theory dependent on non-moral facts that are natural properties: one’s greediness and one’s ability to use reason.

To conclude, I compare Hobbes’s moral factualism with the two common interpretations of orthodoxy and dissent. The orthodox interpret Hobbes as a subjectivist *and* non-objectivist in the sense that morality is wholly man-made and dependent on man-made desires. Dissent argues the complete opposite: it argues that morality exists by the grace of God or reason’s categorical claim — non-subjective thus — and its contents set, alike for all — therefore, objective. Because I argue Hobbes’s moral theory is independent of Hobbes’s moral theory I can defend the view that there is a subjective relational theory of the good whilst reading an objective moral theory. In that respect, Railton’s moral theory is very similar to Hobbes’s, at least in its most significant part: a moral theory that is objective, yet needs people to exist. And, a moral theory based on factual non-moral properties that enable an ethical naturalist account.

|                | Objective                | Non-objective                             |
|----------------|--------------------------|---|
| Subjective     | Hobbes/<br>Railton       | Moral Conventionalism/<br>Orthodox Hobbes |
| Non-subjective | Plato/<br>Dissent Hobbes |   |

Table 4: Philosophers and interpretations based on Wiggins’ dichotomies

<sup>108</sup> Railton, ‘Moral Realism’, 200-201

<sup>109</sup> *ibid.*, 201

## VI. Conclusion

This chapter furthers the idea that Hobbes's moral theory is not related to values as set out in the previous chapter. Hampton and many other orthodox authors have tried to save the orthodox interpretation which argues that Hobbes's subjective theory of the good makes for a subjective moral theory by arguing that the desires that make the laws of nature obligatory are the desires that fully informed people would act on. They are higher-order desires, second-order desires, rational choices, choices made by the fully informed. However true it might be that the laws of nature are pursued by the rational (which they are), this does not explain the obligatory nature of the laws of nature. What does make them obligatory are certain factual and non-moral properties 'out there'. Those non-moral properties are man's ability to use reason and man's greediness – a greediness that is always present. Coupled with the use of reason one will soon discover that one's preservation is a necessary element for being able to enjoy *whatever* it is one desires.

Unlike one's judgment of good and evil, morality is subject to reason, and therefore a science, which enables the formulation of propositions which are universally true, whereas what it is we call good – that which we desire – remains personal. As such, the laws of nature *are* dependent on the ability to desire, instead of one *particular* arbitrary desire. The laws of nature are true because all desire something. The laws of nature are a necessary law in the *in foro interno* sense: one is obliged to endeavour them. Such an obligation is not a 'proper' duty — the laws of nature are laws, but only improperly so, because they are not commanded through an external source.

The next chapter further deals with the question of truth. So far I have only dealt with the meaning of true as used in the proposition from *Leviathan* that the laws of nature make for 'the true moral philosophy'.<sup>110</sup> I have argued that moral philosophy is a science in its own right, at least in Hobbes's views concerning his methods. Yet, according to the orthodox, who argue that Hobbes's moral theory is dependent on Hobbes's relational account of goodness, morality is similar to a 'Humpty-Dumpty theory of truth', in which truth is wholly dependent on whoever's master. I argue in the following chapter that Hobbes had a very different theory of truth in moral matters – one that relies on external facts instead of arbitrary constructs.

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<sup>110</sup> L 15.40

### CHAPTER 3 – ON TRUTH: AGAINST A HUMPTY-DUMPTY THEORY OF TRUTH

The previous chapter demonstrates that ‘the moral’ and ‘the good’ have different sources. Whereas the good is a relational expression of one’s private desires, morality is subject to universal reason, which explains Hobbes’s words that the laws of nature exemplify the science of morality. A moral science entails one can formulate moral propositions that are truth-apt, as the laws of nature show, whereas one cannot formulate truth-apt propositions concerning values given one’s judgment of what is good and bad is merely an expression of one’s preferences.

Orthodoxy has used the link between Hobbes’s views on science and morality in defence of its view that morality is man-made still. They deduce this from Hobbes’s words on geometry as ‘the only science that it hath pleased God hitherto to bestow on mankind’.<sup>1</sup> The certainty that geometry provides is based on its self-contained status given ‘the lines and figures from which we reason are drawn and described by ourselves’.<sup>2</sup> Orthodox authors have argued that moral concepts are man-made also, which makes for a moral ‘Humpty-Dumpty theory of truth’ reminiscent of Humpty-Dumpty’s statement that when he uses a word, ‘it means just what I choose it to mean — neither more nor less’.<sup>3</sup>

John Deigh’s definitional interpretation with regards to truth and morality depends on similar assumptions in relation to the man-made characteristics of morality.<sup>4</sup> Deigh disagrees on some fundamental accounts with the orthodox account, however, this chapter focuses on that one similarity: the man-made origins of morality. Deigh argues that reasoning starts with the apt definitions of the terms relevant, and an ‘apt’ definition is ‘one that capture[s] the customary meaning of the term being defined’.<sup>5</sup> The relevant points both the orthodox and Deigh agree on is that (a) the relevant definitions in the moral sciences are man-made, (b) that truth relates to a consistent use of words alone, and that therefore (c) truth in the moral sciences are man-made. I disagree on all accounts. I argue that (a’) the relevant definitions in the moral sciences have nature as their author, (b’) that besides the internal standard of consistency, that truth also

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<sup>1</sup> L 4.12

<sup>2</sup> SL Epistle Dedicatory, 183-184

<sup>3</sup> Watkins, *System of Ideas*, 104-105

<sup>4</sup> Deigh, ‘Reason and Ethics; Deigh, ‘Reply to Mark Murphy’. For criticism of Deigh’s definitional approach see Murphy, ‘Desire and Ethics’; and, Hoekstra, ‘Law, Nature, and Reason’

<sup>5</sup> Deigh, ‘Reason and Ethics’, 57



relates to external standards, and that therefore (c') truth in the moral sciences are not man-made.

There is an overarching claim here that both Watkins and Deigh agree with, which is that the moral sciences are derived from the methods used in geometry. Deigh argues that '[i]n keeping with his well-known admiration of geometry, his belief that it supplies the right model for organizing the knowledge gained in a branch of science, Hobbes represents this body of natural law as having an axiomatic structure'.<sup>6</sup> Deigh is not the only one to argue in defence of a unified philosophy of science. Talaska argues that '[i]t is universally acknowledged that Hobbes wanted to infuse into all of philosophy the kind of rigor he saw in geometry' and questions if it is at all 'possible to understand Hobbes's science, which is supposed to imitate geometric method in some way, without understanding Hobbes's interpretation of geometric method...?'<sup>7</sup> This, and the following, chapter criticises the idea that 'the method of reasoning used by the geometer is the proper scientific method, to be applied to any study that aims at being scientific'.<sup>8</sup> Instead, I argue that the methods of moral philosophy are significantly different; moral philosophy 'rests upon its own principles known by reason'.<sup>9</sup>

Chapters 3 and 4 both argue against the widely held belief that the geometrical method sets the example for the other sciences. I argue there are two relevant differences; the first of which is discussed in the current chapter, the second of which in the following. The first difference between geometry and morality argues their authors are different – man versus nature; the second difference argues that the external natural standard, which the first difference between geometry and morality refers to, is the inclusion of a final cause into the definition of the fundamental law of nature. Whereas geometry's concepts need only to be defined according to their efficient cause, the fundamental law of nature makes no sense without explicitly citing its aim: nature's preservation. There are thus two differences between the moral sciences and geometry: their authors and the causes that make up their definitions.

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<sup>6</sup> Deigh, 'Reason and Ethics', 37

<sup>7</sup> Talaska, 'Analytic and Synthetic Method', 207

<sup>8</sup> Raphael, *Morals and Politics*, 20. Many more have argued that Hobbes's method as applied in the geometrical sciences is the foundation for the other sciences — natural, civil *and* moral: Bird, 'Squaring the Circle', 218; Grant, 'Geometry and Politics', 147; Prins, 'Hobbes's Geometrische Methodenideaal', 267; Goldsmith, *Science of Politics*, 1-2. Those arguing against a methodological unity are Sacksteder, 'Art of the Geometricians', 131; and Sorell, *Hobbes*, chapters 1-2.

<sup>9</sup> DCv Preface, 19

| Cause / Author      | Man              | Nature           |
|---------------------|------------------|------------------|
| Efficient           | Geometry         | Natural Sciences |
| Efficient and Final | Civil Philosophy | Moral Philosophy |

Table 5 The four sciences

The first section of this chapter discusses the orthodox interpretation and Deigh's definitional approach in relation to 'truth', which depends on consistency based on Hobbes's words that 'true and false are attributes of speech, not of things. And where speech is not, there is neither truth nor falsehood'.<sup>10</sup> Watkins and Krook have used this passage to argue that all truth in Hobbes is man-made: in geometry *and* in the moral sciences.<sup>11</sup> I argue that the first difference between geometry and the moral sciences is its author, which makes the moral sciences subject to an external source instead of a mere subjective source as in geometry. The second section shows how this influences Hobbes's nominalism, which many authors believe Hobbes defends given his words that to reason correctly is 'to find truth, which consisteth in the right ordering of names', as 'truth and a true proposition, is all one'.<sup>12</sup> Those who believe Hobbes is a nominalist conclude that all definitions are therefore arbitrary — based on man's will — and that truth depends on a consistent use of words alone. In other words, truth depends on man's will alone. I argue that definitions are not arbitrary and that truth, accordingly, does not depend on man's will alone. The name one attaches to a definition is wholly arbitrary, but definitions have to live up to objective criteria. In other words, morality remains natural instead of man-made – morality is in the hands of nature instead of Humpty-Dumpty.

#### I. First difference: nature as the author of morality

The previous chapter already demonstrates the love Hobbes espouses for science and his belief that morality is a science in its own right. Watkins has used this notion of a moral science to defend the orthodox point of view, by arguing that the truths one can find in moral science mirror a Humpty-Dumpty theory of truth — a theory of truth that argues that a word means whatever it is one wants it to mean and truth merely requires a consistent use of those words. Despite the many differences between the claims made by orthodox interpreters and the claims made by

<sup>10</sup> L 4.11; similar remarks are made in EL 5.1

<sup>11</sup> Deigh is not concerned with any other science but the moral sciences.

<sup>12</sup> L 4.11 (first quote) and EL 5.1 (second quote)

Deigh in relation to Hobbes's moral theory, Deigh also argues that the moral sciences are a science in their own right, and in each science 'men begin at settling the significations of their words; which settling of significations, they call definitions; and place them in the beginning of their reckoning'.<sup>13</sup>

This depends in turn on Hobbes's views of science as the methodical use of reason, which has the use of speech at its foundation. Once one settles on definitions and uses those definitions coherently throughout one's reasoning, one can discover truths — truths that had always been present in the premises: 'The use and end of reason, is not the finding of the sum, and the truth of one, or a few consequences, remote from the first definitions, and settled significations of names; but to begin at these; and proceed from one consequence to another'.<sup>14</sup> He who does not take care getting definitions right 'will find himself entangled in words, as a bird in lime-twigs; the more he struggles the more belimed'.<sup>15</sup> Deigh points out that such a minimal view of a correct use of reason — as mere definitional coherence — is consistent with Hobbes's definition of reason as given in the early chapters of *Leviathan*, in which reasoning is 'nothing but *reckoning* (that is, adding and subtracting) of the consequences of general names'.<sup>16</sup> To reason correctly is to find truth, which consisteth in the right ordering of names', as 'truth and a true proposition, is all one'.<sup>17</sup> Science is the combination of these two definitions: it is the 'apt imposing of names (...) by getting a good and orderly method in proceeding from the elements, which are names (...) till we come to a knowledge of all the consequences of names appertaining to the subject in hand; and that is it men call **SCIENCE**'.<sup>18</sup>

To continue the path of agreement between Deigh and Watkins, both argue that Hobbes's theory of *moral* truths is similar to Hobbes's views on geometry, in which geometers have 'no need to ask leave of any but themselves to name the figures they invented'.<sup>19</sup> Deigh argues that geometry is Hobbes's 'model science', which sets an example to the other sciences in its axiomatic structure — to start from man-made definitions (axioms) and to deduce theories from these most fundamental concepts onwards.<sup>20</sup> As Euclidian geometry starts from five postulates

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<sup>13</sup> Deigh, 'Reason and Ethics', 51

<sup>14</sup> L 5.4

<sup>15</sup> L 4.12

<sup>16</sup> L 5.2

<sup>17</sup> EL 5.1

<sup>18</sup> L 5.12

<sup>19</sup> DeCorp 2.4

<sup>20</sup> Deigh, 'Reason and Ethics', 37-38

which make the foundation of the axiomatic system, the moral sciences equally start from an axiom, which, according to Watkins is settled by the sovereign, and according to Deigh is settled by the common usage of the term 'natural law'.<sup>21</sup>

The difference between Deigh and Watkins is that the latter argues that (a) morality is made up of values (b) which are subjective, and because (c) Hobbes is a nominalist, this means that moral propositions are only subject to truth in the sense of consistency and no other external objective standards.<sup>22</sup> Deigh disagrees on '(a)'; Deigh argues instead that morality is dependent on the common usage of an arbitrarily imposed word on a moral concept — the fundamental law of nature — independent of the value that people attach to the concept. Deigh remains of importance because I focus mainly on '(c)' — on the idea that all truths are man-made *because* Hobbes is a nominalist and that consistency is the only standard one can refer to when speaking of truth.<sup>23</sup> I disagree and argue that morality depends on definitions that are not dependent on an arbitrary will — not even on the will of the sovereign, which negates both Deigh's definitional account and the much discussed orthodox account as advocated by Watkins.

Deigh is right to argue that morality is a science in its own right, even though Hobbes calls the moral sciences a philosophy. To repeat a point made in the previous chapter: the titles 'philosopher' and 'scientist' are interchangeable since they signify the very same idea: to find '*the shortest way of finding out effects by their known causes, or of causes by their known effects*'.<sup>24</sup> The first method is the deductive synthetic method; the latter the inductive analytic method. Hobbes describes four sciences: the geometrical, the natural (or the lesser sort of mathematical sciences), civil science, and moral science.<sup>25</sup> Distinguishing the four sciences based solely on their reliance on either method will not suffice, because Hobbes argues that most methods will incorporate a mixture of both and in some cases the sciences themselves mix, as is often the case in civil and moral philosophies.<sup>26</sup> However, a preference for the deductive synthetic method cannot go unnoticed. In *De Homine* Hobbes argues that science is demonstrative and only deductive

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<sup>21</sup> Watkins, *System of Ideas*, 105; Deigh, 'Reason and Ethics', 57

<sup>22</sup> Watkins, *System of Ideas*, 104-118

<sup>23</sup> Deigh, 'Reason and Ethics', 50

<sup>24</sup> DeCorp 6.1

<sup>25</sup> Many have debated a supposed organisation of the sciences, which, given Hobbes's many and much confused statements on the subject knows just as many varying interpretations. Excellent interpretations are: Sorell, 'Hobbes's Scheme'; Sacksteder, 'Three Diverse Sciences'; Herbert, *Thomas Hobbes*; and, Malcolm, 'Science of Politics'. I organise the sciences according to the two differences I detect between geometry and the moral sciences, which suffices for now.

<sup>26</sup> DeCorp 6.1

demonstrations deserve to be called demonstrations.<sup>27</sup> The one science that is most demonstrable is geometry. It is in effect the science that relies to the greatest extent on the deductive method.<sup>28</sup> Geometry's answers live up to the standards that science ideally sets: its answers are universal, certain, and independent of any one's particular desires or making. This is why Hobbes argues that geometry 'is the only science that it hath pleased God hitherto to bestow on mankind'.<sup>29</sup>

Hobbes's love for geometry is taken as a sign that all other 'fields of inquiry' have to resemble the methods used in geometry to be considered a science. Hobbes's affection for the geometrical method is well documented, starting with Aubrey's description of Hobbes's first encounter with Euclid's *Elements*. The following quote has been used all too often, however, Grant's question — 'Will Aubrey's much-quoted tale bear recycling one more time?' — will have to be answered positively once more:<sup>30</sup>

He was 40 yeares old before he looked on Geometry; which happened accidentally. Being in a Gentleman's Library, Euclid's Elements lay open, and 'twas the 47 *El. libri* I. He read the Proposition. *By G—*, sayd he (he would now and then sweare an emphaticall Oath by way of emphasis) this is impossible! So he reads the Demonstration of it, which referred him back to such a Proposition; which proposition he read. That referred him back to another which he also read. *Et sic deinceps* [and so on] that at last he was demonstratively convinced of that trueth. This made him in love with Geometry.<sup>31</sup>

In the Latin autobiography, Hobbes repeats his affection, and explains that geometry left an impression 'not so much because of the theorems, as because of the method of reasoning'.<sup>32</sup> That method of reasoning is the axiomatic structure that Deigh believes ought to be applied to all sciences, including the moral.

This love for the geometrical method of reasoning makes Deigh and many others believe that 'the method of reasoning used by the geometer is the proper scientific method, to be applied

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<sup>27</sup> DH 10.4

<sup>28</sup> DH 10.4-5

<sup>29</sup> L 4.12

<sup>30</sup> Grant, 'Geometry and Politics', 147

<sup>31</sup> Aubrey, *Brief Lives*, vol.1, 150

<sup>32</sup> OL vol. 1, xiv

to any study that aims at being scientific'.<sup>33</sup> That method is wholly deductive and man-made and allegedly of importance to all other sciences. Hobbes planned to publish a trilogy that first treated matter simply (*De Corpore*), followed by man (*De Homine*), and finally man as a citizen (*De Cive*). It is often interpreted to imply that one first needs knowledge of bodies in general, before one can move on to the human body, and, finally, to that human body in a commonwealth. The thesis is understandable: Hobbes argues that '*for what we owe to Physics, Physics owes to Geometry*' and argues '[a]fter *physics* we must come to *moral philosophy*'.<sup>34</sup> However, at no point does Hobbes argue that civil philosophy is *deduced* from physics, nor does he argue that physics is deduced from geometry. As Hattab argues, 'Descartes and Hobbes clearly appeal to a method of discovery modelled after geometry, but neither employs it to develop a heavily quantitative physics'.<sup>35</sup> Geometry is not the first science from which the other sciences are deduced, even though an understanding of geometry never hurts: today's students of physics will readily admit that a sound understanding of mathematics is a requirement for a thorough understanding of physics. That does not mean the methods and standards of truth found in physics have to resemble those applied in geometry.

Hobbes's trilogy did eventually get published, though its initial final part came to be published first as '[t]he approaching war' forced him to complete his work on government before he completed his work on 'body and its general properties' and 'Man and his particular faculties and passions'.<sup>36</sup> This alteration in the sequence of publishing shows that knowledge of the laws of nature does not require knowledge of geometrical figures and its deduced truths since moral philosophy 'rests upon its own principles known by reason'.<sup>37</sup>

Unlike the demonstrable man-made sciences of geometry and civil philosophy, those principles make the moral sciences differ in at least one respect that make them indemonstrable. The former 'are those the construction of the subject whereof is in the power of the artist himself'; the latter 'we know not the construction, but seek it from the effects'. The full paragraph reads:

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<sup>33</sup> Raphael, *Morals and Politics*, 20

<sup>34</sup> DCv Epistle Dedicatory

<sup>35</sup> Hattab, 'Hobbes's and Zabarella's Methods', 461; See also Wilson, 'Hobbes' Inductive Methodology' for a critique of those who think that inductive methods are completely irrelevant to Hobbes, such as A.E. Taylor, *Thomas Hobbes*, 6; Copleston, *History of Modern Philosophy*, 29; and Watkins, *System of Ideas*, 31.

<sup>36</sup> DCv Preface, 13

<sup>37</sup> *ibid.*

Of arts, some are demonstrable, others indemonstrable; and demonstrable are those the construction of the subject whereof is in the power of the artist himself, who, in his demonstration, does no more but deduce the consequences of his own operation. The reason whereof is this, that the science of every subject is derived from a precognition of the causes, generation, and construction of the same; and consequently where the causes are known, there is place for demonstration, but not where the causes are to seek for. Geometry therefore is demonstrable, for the lines and figures from which we reason are drawn and described by ourselves; and civil philosophy is demonstrable, because we make the commonwealth ourselves. But because of natural bodies we know not the construction, but seek it from the effects, there lies no demonstration of what the causes be we seek for, but only of what they may be.<sup>38</sup>

The great advantage for the man-made sciences is their self-contained status since 'the lines and figures from which we reason are drawn and described by ourselves'.<sup>39</sup> Hobbes argues that such sciences can achieve the greatest level of certainty:

For it is most true that *Cicero* saith of them somewhere: that there can be nothing so absurd but may be found in the books of philosophers. And the reason is manifest. For there is not one of them that begins his ratiocination from the definitions or explications of the names they are to use; which is a method that hath been used only in geometry, whose conclusions have thereby been made indisputable.<sup>40</sup>

The one other science that resembles geometry in this respect is civil philosophy, both of which have as their foundational building blocks man-made constructs, made 'by pact and consent among ourselves'.<sup>41</sup> *Observable* constructs, that is.<sup>42</sup> Because geometry refers to man-made

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<sup>38</sup> SL Epistle Dedicatory, 183-184

<sup>39</sup> *ibid.*, 184

<sup>40</sup> L 5.7

<sup>41</sup> This reference I found in Horstmann, 'Hypotheses in Natural Philosophy', 488-489. Horstmann refers to a letter which is documented by Malcolm in his CORR, 83. 'In a letter to Charles Cavendish in February 1641, Hobbes writes that in the mathematical sciences we arrive at a final definition by way of a principle, which is made true "by pact and consent among ourselves"'.<sup>42</sup>

figures only, mathematicians have no 'need to ask leave of any but themselves to name the figures they invented, *parabolas, hyperboles, cissoeides, quadratics*, &c. or to call one magnitude A, another B'.<sup>43</sup> The same is true of the commonwealth. Individuals should rationally welcome 'the introduction of that restraint upon themselves' that is a commonwealth, for the sake 'of getting themselves out from that miserable condition of war, which is necessarily consequent (...) to the natural passions of men...'<sup>44</sup> The notion that the introduction of a commonwealth is a restraint on one's natural passions shows its creation is not natural to the rather unsocial and a-political creature that is mankind.<sup>45</sup> One can therefore reason about the body politic as a man-made object, 'which is but an artificial man'.<sup>46</sup> The sovereign has no need to ask leave for the civil law she imposes: she defines and generates the building blocks of civil science herself.

Unlike geometry and civil philosophy, the natural and moral sciences are subject to a different author: *nature*. This is a definitional necessity for the *natural* sciences, but the moral sciences also are undoubtedly 'natural' as the core concept of morality remains the law of *nature*. Hobbes defines nature as 'the Art whereby God hath made and governs the World'.<sup>47</sup> The natural laws specifically are the 'Laws, (such of them as oblige all Mankind,) in respect of God, as he is the Author of Nature, are *Natural*; and in respect of the same God, as he is King of Kings, are *Laws*'.<sup>48</sup> The laws of nature are 'immutable and eternal', the 'Eternal Law of God', and 'cannot by any man, or Commonwealth be abrogated'.<sup>49</sup>

Though the moral and the natural sciences have a common author, they do not face common problems, which in the case of the natural sciences is a contemporary problem of inductive methods still. The natural sciences, such as physics, chemistry, biology *et cetera*, are subject to the difficulties of natural causes, which requires one to reason from known effects to *possible* causes. Hobbes is adamant to stress the 'possible' clause, since 'there is no effect in

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<sup>42</sup> The civil law that is part of civil philosophy might not be physically observable, however, the civil law ought to be promulgated before it takes the status of a law. The civil law differentiates itself from the natural law in that it has to be able to be observed by sense: through sight or hearing. See Waldron, 'Principle of Publicity'.

<sup>43</sup> DeCorp 2.4

<sup>44</sup> L 17.2

<sup>45</sup> DCv 2.1-2

<sup>46</sup> L Introduction

<sup>47</sup> *ibid.*

<sup>48</sup> L 30.30

<sup>49</sup> L 15.38, 26.24, and 29.9



nature which the Author of nature cannot bring to pass by more ways than one'.<sup>50</sup> Hobbes had grave doubts about determining the causes of an event whose generation is up for debate.

Sometimes a man desires to know the event of an action; and then he thinketh of some like action past, and the events thereof one after another, supposing like events will follow like actions. (...) Which kind of thoughts is called foresight, and prudence, or providence, and sometimes wisdom; though such conjecture, through the difficulty of observing all circumstances, be very fallacious.<sup>51</sup>

Hobbes famously concluded that 'experience concludeth nothing universally', from which Hobbes's preference for a deductive method can be inferred once again.<sup>52</sup> The inductive analytic method is described as the method where '[t]he principles...are not such as we ourselves make and pronounce in general terms, as definitions; but such as being placed in the things themselves by the Author of Nature, are by us observed in them'.<sup>53</sup> Whenever the author is nature, the possible claim that explains why A causes B, is underdetermined. The *a posteriori* sciences' underdetermined conclusions are familiar to today's problems in the philosophy of inductive science.<sup>54</sup> Fortunately, the moral sciences are not subject to the problems of the inductive sciences since the moral sciences rely on a different method: self-reflection.

Physics is 'the subject of *physical* contemplation', whereas moral philosophy can be known 'by the experience of every man that takes the pains to observe those motions within himself'.<sup>55</sup> The motions within one self that Hobbes refers to are made explicit in the introduction of Leviathan. It is the introspective method that shows us the thoughts and passions all share. Individuals come to realise that however different the objects of their passions are, they at least share the idea of having passions and the feelings that come with having a passion for something — '*desire, fear, hope, &c*'.<sup>56</sup> Their shared passions prove all individuals, however anti-social they might be, share a goal: to avoid the life that is brutish nasty and short, and to aim for a commonwealth instead as its unique solution. Those passions are not idiosyncratic as they are

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<sup>50</sup> DP page 88

<sup>51</sup> L 3.7

<sup>52</sup> EL 4.10

<sup>53</sup> DeCorp 25.1

<sup>54</sup> Earman and Salmon, 'Scientific Hypotheses', 48-49

<sup>55</sup> DeCorp 6.7

<sup>56</sup> L introduction

natural to all. Hobbes's method does allow for a minor role for the inductive method. One can only come to know that one's passions are shared when one takes pains to observe others. However, the problem that the natural sciences are subject to, which is the impossibility of knowing what the causes are of the observable effects, are not applicable to the moral sciences. Hobbes argues that knowing one's passions and knowing the passions of others suffices to know that all ought to aim for their survival, but he offers a second route which is the mere use of reason. In effect, to know that I have a desire suffices to figure out the necessity that is nature's preservation. And again, one does not need to know who or what the cause of our desires, fears, and hopes are — one simply needs to reflect on them and use reason to find the fundamental law of nature is true *irrespective of the feelings and passions of one's neighbour*. In effect, the moral sciences do not suffer the same problems the natural sciences do, even though they have a common external author.

## II. Hobbes's not so radical nominalism

To argue that there is an external standard, to argue there are objective truths, challenges a widely-held belief in Hobbes's *radical* nominalism, which argues that truth is "analytic": that is to say, it is a property of 'language,' of propositions, statements, utterances, 'words' — always of linguistic entities, never of 'things,' or non-linguistic entities'.<sup>57</sup> Such a position, as defended by Krook, Leibniz, Watkins, and Deigh, is based on Hobbes's words that 'the first truths were arbitrarily made by those that first of all imposed names upon things, or received them from the imposition of others'.<sup>58</sup> Given truth depends on a consistent use of definitions, and those definitions are man-made, all truth is seen as man-made.

Watkins believes such man-made truths are also found in Hobbes's moral theory dependent on the man-made relational values of good and bad. Because there are no objective moral properties, morality is simply what the sovereign makes of it; the sovereign is the Humpty-Dumpty of the commonwealth. To ascribe to Hobbes such a constructivist approach to truth is closely linked to his nominalism, as Deigh does similarly.<sup>59</sup> Krook and Leibniz relate Hobbes's *true* laws of nature to a *radical* nominalism because 'truth allegedly depends on the definitions of

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<sup>57</sup> Krook, 'Meaning and Truth', 6

<sup>58</sup> L 3.8; Watkins does not believe that Hobbes is a radical nominalist for all sciences, but does think Hobbes is concerning moral matters.

<sup>59</sup> Deigh, 'Reason and Ethics', 50

terms, and definitions depend on the human will'.<sup>60</sup> I disagree and argue that the truth of the laws of nature depends on an external standard. That standard is a correct manner of defining objects and ideas. Leibniz is right that the *naming* of an object depends on the human will, however, *how* one defines a definiendum is not an arbitrary affair.

Nominalism is the doctrine that universal concepts or objects do not exist, which is unlike Plato, Aristotle, and Descartes, all of whom argued that there is some sort of universal 'out there'. Hobbes's discussion with Descartes concerning one's knowledge of a triangle shows Hobbes's objections to the idea that one can have knowledge of a triangle based on a Platonic Form, an Aristotelian essence, or a Cartesian innate idea. These three ideas all think there is a universal nature to all particular objects; a universal that predates the object one observes. Not so for Hobbes. All that we have knowledge of are particular objects. Whereas Descartes argues that the idea of a triangle is objective and transcendental, accessible to those who use reason rightly, Hobbes argues that such mathematical universals are phantasms as the triangle and its properties are not transcendental — one has to observe a triangle first before one realises such figures exist. Descartes argues:

when I imagine a triangle, even if perhaps no such figure exists outside my thought anywhere in the world and never has, the triangle still has a certain determinate nature, essence, or form which is unchangeable and eternal, which I did not fabricate, and which does not depend on my mind. This is evident from the fact that various properties can be demonstrated regarding this triangle...<sup>61</sup>

Descartes argues a triangle and its properties exist independently from their physical existence, which we discover because of 'a certain determinate nature'.<sup>62</sup> For Hobbes, though, no idea can exist without an object that has caused the idea to exist. Man can only imagine 'those things which have been formerly perceived by sense'.<sup>63</sup>

they err, that say the *idea of anything is universal*; as if there could be in the mind an image of a man, which were not the image of some one man, but a man simply, which

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<sup>60</sup> Leibniz, 'Preface', 128

<sup>61</sup> Descartes, *Meditations, Objections, and Replies*, 36 (meditation V)

<sup>62</sup> *ibid.*

<sup>63</sup> L 2.4

is impossible; for every idea is one, and of one thing; but they are deceived in this, that they put the *name* of the thing for the *idea* thereof.<sup>64</sup>

Objects that do *not* exist in this world can still be imagined, as compound images of things observed, such as a centaur, as the compound image of man and horse.<sup>65</sup> Yet, as long as no one has seen the parts whereof a centaur is made, the idea of a centaur cannot exist. So too for the triangle, according to Hobbes:

Were the triangle to exist nowhere in the world, I fail to understand how it has a nature, for what exists nowhere does not exist and therefore has no being [esse] or nature. The triangle in the mind takes its origin from a triangle we have seen or else from one conjured up from ones we have seen. However, once we have named a thing "triangle" (whence we believe the idea of the triangle takes its origin), the name lingers on even if the triangle itself ceases to exist. Likewise, once we have conceived in our thought that all the angles of a triangle are equal to two right angles and have given this other name to the triangle: "having three angles equal to two right angles," even if an angle exists nowhere in the world, still the name remains, and the truth of the following proposition is eternal: "a triangle is a thing that has three angles equal to two right angles." But the nature of a triangle will not be eternal, if perhaps every triangle were to perish.<sup>66</sup>

The word 'triangle' is universal only in the sense that, whenever an individual uses the word 'triangle' to refer to an object that is part of a set of triangles (a set that includes more than the sole element one refers to), the individual can refer to that set. However, the conception or image one has of a triangle remains based on a particular image of a triangle once observed, or imagined as the compound images of three straight lines, even though the name stands for all the objects that are common to that name.<sup>67</sup> In the triangle's case, it stands for all those figures that have

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<sup>64</sup> DeCorp 5.8

<sup>65</sup> L 2.4

<sup>66</sup> TO Objection XIV, directed at Meditation V

<sup>67</sup> EL 5.6: 'For if one should desire the painter to make him the picture of a man, which is as much as to say, of a man in general; he meaneth no more, but that the painter shall choose what man he pleaseth to draw, which must needs be some of them that are, have been, or may be, none of which are universal'.

three, and no more than three, angles, made up of three straight lines, whose three angles have an accumulated angle of 180 degrees. The *name* triangle is universal, yet there is no objective transcendental triangle itself out there — there is no objective Form, essence, or innate idea. And so we arrive at Hobbes's conclusion that the 'word *universal* is never the name of any thing existent in nature, nor of any idea or phantasm formed in the mind, but always the name of some word or name'.<sup>68</sup>

Thus, the word triangle denotes a set of objects that live up to the self-imposed name given to the definition of triangle. The definition excludes certain figures from being called a triangle, yet the *name* 'triangle' is therefore not objective. I could just as easily have called those objects with three angles and an accumulated angle of 180 degrees 'tables'. The imposition of words is namely arbitrary, according to Hobbes.

Using Humpty-Dumpty once again: whenever one uses a word, 'it means just what I choose it to mean — neither more nor less'.<sup>69</sup> Hobbes agrees: the *naming* of an object — be it a triangle or a centaur — is always arbitrary in the sense that the name that signifies an object was not taken from the object itself. Hobbes rhetorically asks 'how can any man imagine that the names of things were imposed from their natures?'<sup>70</sup> Hobbes answers his own question by explaining that even the imposition of words laid down by God were arbitrarily imposed.<sup>71</sup> He even goes so far to argue that the arbitrary imposition of names may be assumed as unquestionable'.<sup>72</sup> The name that one uses to signify an object or idea is man-made since man is the *sole* author of language since the tower of Babel.<sup>73</sup>

A name is a word that we apply as a shortcut in our head for any object or idea, which Hobbes calls a mark.<sup>74</sup> For example, as a child, I named every type of sweet 'lulu' which means lulu became my mark for sweets. The choice for the name 'lulu' was arbitrary, according to Hobbes, as I could just as well have called them 'GRRR', or 'blugh', or I could have stuck my tongue out, given the imposition of the word (or tongue) was relative only to me. If one wishes to communicate, the use of marks alone is not enough since one's marks will have to become the marks for others, by

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<sup>68</sup> DeCorp 2.9; EL 5.6

<sup>69</sup> Carroll, 'Through the Looking Glass'

<sup>70</sup> DeCorp 2.4

<sup>71</sup> L 4.1

<sup>72</sup> L 2.4

<sup>73</sup> L 4.2

<sup>74</sup> L 4.3; EL 5.1

which point they are signs.<sup>75</sup> Luckily, I have a sister who understood my level of communication: whenever I wanted sweets, the name lulu served as a sign for my sister to start collecting and distributing sweets. However, one word is not enough to communicate, if only to enable a differentiation between declarative and imperative speech. A collection of words becomes speech.

Hobbes argues that '[w]ords so connected as that they become sign of our thoughts, are called SPEECH, of which every part is a name'.<sup>76</sup> Speech is elementary to Hobbes's theory of truth '[f]or true and false are attributes of speech, not of things. And where speech is not, there is neither truth nor falsehood'.<sup>77</sup> On a similar note, Hobbes argues that 'truth, and a true proposition, is all one' from which one standard of truth remains, which is consistency: '*truth* consisteth in the right ordering of names in our affirmations, a man that seeketh precise *truth* had need to remember what every name he uses stands for, and to place it accordingly'.<sup>78</sup> These statements allude to the idea that truth is a man-made product; that truth, like the imposition of names, is dependent on man's will. Because Watkins, Deigh, and Krook, all believe that language is a man-made product *including* moral concepts, only one internal benchmark of truth remains, which is consistency. As a result, they agree that Hobbes holds a Humpty-Dumpty theory of truth: the sovereign defines justice, thereby defines morality, and, if moral concepts are used consistently, then all that the sovereign says in relation to morality remains true.<sup>79</sup>

This is an unlikely point of view, if only because the moral law is *by definition* natural instead of man-made. I argue that Krook, Deigh, and Watkins base their belief in a man-made morality (a) on Hobbes's subjective theory of the good which they incorrectly link to a subjective moral theory, and (b) on the idea that Hobbes's statement that true and false are attributes of speech makes speech a *sufficient* cause for truth. I have argued against the first of these ideas in the previous two chapters and will continue to argue against the idea throughout this thesis. Against the second idea I argue specifically in this section: I argue that speech is not a sufficient but a *necessary* cause for truth. In effect, one needs man-made speech to convey true

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<sup>75</sup> L 4.3; DeCorp 6.11

<sup>76</sup> DeCorp 2.3

<sup>77</sup> L 4.11

<sup>78</sup> EL 5.10; L 4.12

<sup>79</sup> For clarity's sake: Deigh does not argue that the sovereign defines concepts; instead, he argues that a word is defined through its common usage. As argued earlier, my criticism is aimed at what Deigh and the orthodox have in common, which is a belief in man-made morality and man-made truth.

propositions; however, the truth of a proposition is not solely dependent on speech. The truth of a proposition is dependent also on objective *accidents*. Morality is no different: there are moral objective accidents 'out there'.

To explain the use of the term 'accident': Hobbes argues that truth is found in propositions; propositions connect particular names with properties or characteristics that belong to these names. Hobbes calls these properties *accidents*.

*A PROPOSITION is a speech consisting of two names copulated, by which he that speaketh signifies he conceives the latter name to be the name of the same thing whereof the former is the name; or (which is all one) that the former name is comprehended by the latter.*<sup>80</sup>

A proposition is made up of at least two parts: a subject and a predicate. Hobbes repeatedly uses the proposition *man is a living creature* as an example, in which the word 'is' copulates the subject – man – with a predicate – a living creature.<sup>81</sup> The subject is the name; the predicate the accident. The sentence is true because the latter comprehends the former name: a man is always a living creature. The proposition that 'man is just' is also a proposition, yet false. Not every man is just, and in effect, the latter name (just) does not comprehend the former (man) or vice versa; not every man carries the accident 'just'.

Man is a universal name since it denotes a set of individuals instead of merely one particular individual. As soon as one imposes names on objects and ideas, one can reason, which is to deduce truths from prior propositions, which explains Hobbes's extensive demonstration and explanation of syllogisms.<sup>82</sup> This allows for the following sentences to be correct given syllogistical reasoning:

- (a) man is a living creature
- (b) John is a man
- (c) therefore, John is a living creature

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<sup>80</sup> DeCorp 3.2

<sup>81</sup> DeCorp 3.2 and 3.7; L 5.11; EL 5.10

<sup>82</sup> See DeCorp 4, a chapter titled 'Of Syllogism'; L 4.12

This syllogism can be applied to multiple individuals since 'man' denotes a set of individuals, for instance, to Sam. Sam too is a man, and therefore a living creature. Sam and John therefore share an accident — a characteristic or property that is not singular or particular, but shared by many, which is the accident of 'being a living creature', or to simply state 'alive'. Watkins believes this to be the reason that Hobbes is not a radical nominalist when it comes to the natural sciences or geometry, since those sciences admit of '*accident[s]*' which may be shared by many individual things; and the admission of accidents into his ontology enabled him to avoid a Humpty-Dumpty theory of truth, at least in connection with factual propositions'.<sup>83</sup> Watkins goes on to argue that morality depends on Hobbes's theory of the good, which is indeed wholly subjective and therefore does not allow for accidents that are shared by many individual things: 'Hobbes's nominalism *without* the addition of accidents leads to a Humpty-Dumpty theory of truth'.<sup>84</sup>

Here is the crux of my argument: I argue that morality does admit accidents that are shared by *all* moral propositions. That accident is 'an increase in one's chances to survive'. The moral accident is objective since one's preservation or one's chances to survive presupposes life, which is a standard that exists independent of man's will. Formulating the statement 'one is alive' does not make one alive given one is judged alive on certain objective criteria, such as breathing, or having a heart that beats. The *accident* that states 'alive' (such that one can formulate a proposition with a subject that carries the accident of being alive) is not dependent on man's declaration that one is alive. The same is true for moral accidents – they exist before one can 'define' a moral concept, such as the law of nature: the accident of one's preservation presupposes one is alive, which, again, does not depend on an individual promulgating a law of nature. As such, moral accidents are common to many individual things instead of remaining particular, as our judgments of good and bad are, which refutes a Humpty-Dumpty theory of truth.

Moral propositions necessarily include moral concepts; concepts that have to be defined. Given that in 'teaching philosophy, the first beginning is from definitions', it is important to know that all definitions will include an accident since a 'definition is the explication of a compounded name'.<sup>85</sup> A compounded name is distinguished from a simple name, which is 'that which in every kind is the most common or most universal'.<sup>86</sup> A compounded name is joined by another name to

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<sup>83</sup> Watkins, *System of Ideas*, 104

<sup>84</sup> *ibid.*, 105

<sup>85</sup> DeCorp 6.15

<sup>86</sup> DeCorp 2.14



make it less universal. Thus, 'body' is a simple but joined with the word 'animated' makes it a compounded name. So too is 'law' a simple name, though the addition of civil and natural makes these names compounded.

The 'problem' for the natural law is that the simple name 'law' is defined as man-made, whereas the accident 'natural' is its antithesis. As I argue in the first chapter of this thesis, Hobbes realises this and 'corrects' this contradiction by arguing the natural law is improperly called law – there is no sovereign that *makes* the natural law. The accident that makes the law moral is its author – nature.

This has certain implications for the statements that 'truth and a true proposition, is all one' and that 'true and false are attributes of speech'. The implications depend on the author from which it becomes obvious that moral truths are not man-made since the accident 'natural' exists independent of the sovereign or its 'common usage'. So, how can truth and true proposition remain 'one'?

They remain one because the ability to formulate a proposition is a *necessary* condition of stating truths; however, it is not always a *sufficient* condition as Krook, Watkins, and Deigh believe it to be. I agree with Douglas Jesseph when he argues that 'it is not a matter of linguistic convention that the English word 'cyanide' and 'human' refer to the the things they do'.<sup>87</sup> Hobbes argues explicitly that definitions are not formulated at will when he states that 'the cause and generation of such things, as have any cause or generation, ought to enter into their definitions'.<sup>88</sup> In the case of John and Sam, they will be happy to know that their status as 'being alive' is not dependent on any performative utterance — an utterance that would make the statement true. The accident of 'being alive' is prior to the definition of what it means to be Sam and John given John and Sam's existence does not depend on the promulgation of a proposition. The *truth* of the sentence, however, cannot be measured without the use of words. In other words, 'John is alive' is independent of any word spoken; but the statement 'John is alive' requires words still before we can state that the *proposition* is, in fact, true. The proposition that John is alive therefore requires at least two validations. First, that John is actually alive; and, second, that the sentence 'John is alive' is formulated. The first of these two necessary conditions shows that truth still requires words that refer to mind-independent facts. Truth refers to certain features of

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<sup>87</sup> Adams ('Hobbes, Definitions, and Simplest Conceptions', 54-55) agrees and refers to a passage from Jesseph, 'Scientia in Hobbes', 124. Authors that argue similarly are Boonin-Vail, *Science of Moral Virtue*, 31-34; and, Dunlop, 'Hobbes's Mathematical Thought', 100-101.

<sup>88</sup> DeCorp 6.13

this world that one cannot control. To be alive is only one such accident that many share and enables a language that 'elevates' Hobbes's theory of language from radical nominalism given that many accidents are prior to man-made definitions. Concerning the moral and natural sciences as the sciences written by the author that is nature, speech does not *make* truth; speech merely enables one to communicate about truth. 'Hobbes never said that truth was arbitrary (...) The laws of nature are not arbitrary; but they can be truly stated in English or in Latin'.<sup>89</sup> Without speech, truth is nonsense.

Though he is not a radical nominalist, Hobbes does remain an arbitrarist — for lack of a better word — when it comes to naming an object, which is the only arbitrary feature of a definition. The name 'circle' has been arbitrarily assigned to the definition that states that there is a figure that results from 'a body carried about, retaining always the same length, applies itself first to one radius, then to another, to a third, a fourth, and successively to all; and, therefore, the same length, from the same point, toucheth the circumference in every part thereof, which is as much as to say, as all the radii are equal'.<sup>90</sup> The name 'circle' might be arbitrarily imposed, the definition, however, has to refer to the object one observes.

There is a criterion to the reference, according to Hobbes: the definition ought to refer to the manner in which one generates the object. If one were to correctly define what we today call a circle, the definition has to accurately describe how the object can be generated which makes the addition of arbitrary features unlikely.<sup>91</sup> What it *is* one defines exists before one imposes a name: 'in philosophy, definitions are before defined names'.<sup>92</sup> Therefore, a definition will always refer to the object or idea one observes or imagines. One way of circumventing this problem, and to keep Hobbes as nominalist as possible, is to argue that a definition does not describe the object itself, but one's subjective conception or image, which means that one's description refers only to the image one has of an object — an image that is unique and therefore particular instead of universal.<sup>93</sup> However, Watkins rightly notes that Hobbes does not remain a radical nominalist since he argues that 'a *man*, a *tree*, a *stone*, are the names of the things themselves', from which Watkins concludes that the natural sciences do not have conventional truths since the accidents

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<sup>89</sup> Hood, *Divine Politics*, 16.

<sup>90</sup> DeCorp 1.5

<sup>91</sup> I say 'unlikely' because one can draw circles in different ways still, which could be incorporated into the definition. One could use compasses or draw very many straight lines with the exact same length, aiming at a different direction, originating from the same source.

<sup>92</sup> DeCorp 6.15

<sup>93</sup> Darwall, 'Normativity and Projection'

that make a tree or a stone are not individual; they refer to properties that many objects share.<sup>94</sup> In effect, the names of natural objects are not the names of our imaginations, but of the objects themselves.<sup>95</sup> I add to Watkins' findings that morality, too, has a definition of the law of nature which refers *not* to the sovereign self-imposed ideas of morality but to the thing itself: morality exists 'out there', and Hobbes's theory of truth does not contradict an objective moral theory.

### III. Conclusion

So far, I have argued that the first of two differences between geometry and moral sciences is their author. Geometry is man-made, whereas the moral sciences are subject to nature as its author. The orthodox and Deigh have relied on Hobbes's self-declared love for geometry as 'the model science' and have taken Hobbes's words to mean that the methods used in geometry ought to be applied in all other sciences, including the moral sciences. However, given the different author, one cannot solely rely on self-imposed names on concepts, given the relevant concepts are not man-made: the laws of nature exist independent of one's subjective beliefs *and* independent of one's imposition of words. Hobbes is not a radical nominalist in the sense that all truth depends on an arbitrary will — not even the will of the sovereign.

Man-made language and a consistent use thereof do not make for a sufficient condition of truth. Rather, the ability to use speech is merely a necessary cause to formulate propositions. As in the case of John and Sam: for someone to say that they are alive does not *make* them alive. And in the case of cyanide: for someone to argue that cyanide kills human beings does not *make* cyanide lethal. Sadly, it is already lethal without an individual needed to formulate the sentence that 'cyanide is lethal for human beings'. Speech is only a necessary condition of *formulating* truth, not a sufficient.

The next chapter argues that the requirements of a definition are different between geometry and morality. Whereas the former will do with definitions that resemble an effective cause – a generative formulation of the object – morality ought to include a final cause to make sense of what it is the natural law commands. The difference in clauses turns out to be a difference in the standards of a correct definition, which is not an arbitrary standard, according to Hobbes.

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<sup>94</sup> Quote from DeCorp 2.6, which Watkins discusses in *System of Ideas*, 102.

<sup>95</sup> Watkins, *System of Ideas*, 104-109

## CHAPTER 4 – ON TRUTH AGAIN: THE INCLUSION OF A FINAL CAUSE

Nature is morality's author and 'formulates' its unwritten law in the one and only moral philosophy – the natural law. I agree with Deigh that moral philosophy means that morality is a science in its own right.<sup>96</sup> My disagreement lies elsewhere: Deigh, Krook, and Watkins all believe that there are no moral accidents out there, which leaves the definition of moral concepts up for grabs. I disagree with the man-made idea of definitions and this chapter shows what the conditions are that definitions have to live up to.

Morality is not the only science that sets requirements to the definitions of its core concepts. As Adams, Dunlop, and Hattab argue convincingly, geometrical concepts are only properly defined when the *definiens* formulates the efficient cause of the *definiendum*.<sup>97</sup> The moral sciences add one more requirement: the inclusion of a final clause.

Hobbes's criterion of a 'true' definition thus influences the way in which the law of nature ought to be defined, and the first section shows that it ought to include a final cause, an aim, which the geometrical and natural sciences have no need for. The inclusion of a final clause does not mean that there is a substantive or material criterion to reason as Gert believes. The second and final section argues that reason concerning moral matters, and the necessity for survival, based on the universal ability to desire, is compatible with the claim that reason merely requires formal criteria. I agree with Gert's assertion that natural reason dictates peace and preservation to all, yet I believe that the inclusion of a final cause shows that not every desire is acceptable; a formal criterion to reason will suffice from there on. The inclusion of the final clause at the start of rational reasoning is based on the self-reflective method outlined in the introduction of *Leviathan* and discussed in the previous chapter of this thesis. The self-reflective method does not add a material criterion; instead, it shows that all who start their reasoning cannot but formulate the premise that 'the self' desires *something*, from which the conclusion that one's preservation has value automatically follows. Reason requires merely formal criteria.

### I. Second difference: the inclusion of a final cause

I agree with Deigh that moral philosophy remains a science in its own right and with 'any pursuit

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<sup>96</sup> Deigh, 'Reason and Ethics', 51

<sup>97</sup> Adams, 'Hobbes, Definitions, and Simplest conceptions', 53-55; Dunlop, 'Hobbes's Mathematical Thought'; Hattab, 'Hobbes's and Zabarella's Methods', 473

of truth and scientific knowledge one must begin with definitions of the terms one will use. This is the first principle of the proper method of reasoning or science as Hobbes understands it'.<sup>98</sup> Yet, according to Deigh, those principles from which we reason in the moral sciences are man-made definitions. 'Hobbes gives no explicit criterion, unfortunately, for distinguishing right definitions from wrong ones, but he does say enough to give the reader a fair sense of the criterion he is using'.<sup>99</sup> According to Deigh, the criterion of a correct definition is 'one that capture[s] the customary meaning of the term being defined'.<sup>100</sup>

I disagree. Hobbes argues a 'common discourse' on moral matters is unlikely since 'all words are subject to ambiguity'.<sup>101</sup> All evaluative words are therefore susceptible to private descriptions.

For seeing all names are imposed to signify our conceptions, and all our affections are but conceptions, when we conceive the same things differently, we can hardly avoid different naming of them. For though the nature of that we conceive be the same, yet the diversity of our reception of it, in respect of different constitutions of body and prejudices of opinion, gives everything a tincture of our different passions. And therefore in reasoning a man must take heed of words which, besides the signification of what we imagine of their nature, have a signification also of the nature, disposition, and interest of the speaker, such as are the names of virtues and vices; for one man calleth *wisdom*, what another calleth *fear*; and one *cruelty*, what another *justice*; one *prodigality*, what another *magnanimity*; and one *gravity*, what another *stupidity*, &c. And therefore such names can never be true grounds of any ratiocination. No more can metaphors, and tropes of speech; but these are less dangerous, because they profess their inconstancy, which the other do not.<sup>102</sup>

This passage 'is especially important for moral, or civil, philosophy. It is no use thinking that we can establish stable and objective criteria of conduct by drawing up lists of virtues and vices in accordance with the common usage of the relevant terms; for this common usage has itself no

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<sup>98</sup> Deigh, 'Reason and Ethics', 51

<sup>99</sup> *ibid.*, 56

<sup>100</sup> *ibid.*, 57

<sup>101</sup> L 30.20

<sup>102</sup> L 4.24

stability or objectivity...'.<sup>103</sup> One cannot refer to a common discourse concerning moral matters. The law of nature that Hobbes defines has no customary meaning. Hobbes's definition of the law of nature describes what he believes the true moral law *is*, instead of its use in relation to its customary meaning. Hoekstra criticises Deigh similarly: 'Hobbes...draws attention in the *Leviathan* to the fact that his definition of the law of nature *departs* from customary linguistic usage'.<sup>104</sup> Hobbes is adamant to point out that his description of the law of nature makes up the only correct moral philosophy and that moral philosophers before him 'have increased nothing but words'.<sup>105</sup> Hoekstra refers to a passage where Hobbes contradicts Deigh head on: '[w]hat it is we call the law of nature, is not agreed upon by those that have hitherto written'.<sup>106</sup>

A 'customary meaning' is not one of the criteria of a correct definition. The natural law depends on nature's 'writings' and this section delves deeper into the objective standard that the natural law depends on. Whereas geometry and the natural sciences are sufficiently defined using an efficient cause, the definitions used in civil and moral philosophy require a final cause. The use of Aristotelian causes in Hobbes's writings might come as a surprise given Hobbes often reiterates that moral philosophers before him 'produced nothing of value' and Aristotle in particular was 'the worst Teacher that ever was, the worst Politician and Ethick'.<sup>107</sup> However, Cees Lijenhorst points out that Hobbes does admit not just to have read Aristotle's work but to have been influenced accordingly.<sup>108</sup> One of the ways in which Hobbes had been clearly influenced, was his use of causes. A cause is an answer to a 'why?-question'; a cause describes and defines an object. Aristotle argues there are four such causes: the efficient, the material, the formal, and the final cause. Hobbes argues that all sciences ought to answer a 'why?-question' with the efficient cause, and that the efficient cause defines the definiendum sufficiently: 'one knowledge is truly the cause of another knowledge, namely the *efficient cause*'.<sup>109</sup> A correct definition thus shows how one generates the definiendum, and such a definition will suffice in geometry; for 'Hobbes, the definition of a mathematical object gives one the process by which it is generated'.<sup>110</sup>

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<sup>103</sup> Kemp, *Ethical Naturalism*, 6

<sup>104</sup> Hoekstra, 'Law, Nature, and Reason', 114

<sup>105</sup> DeCorp 1.7

<sup>106</sup> EL 15.1

<sup>107</sup> Aubrey, *Brief Lives*, vol.1, 237.

<sup>108</sup> Lijenhort, *The Mechanisation of Aristotelianism*

<sup>109</sup> DeCorp 3.20

<sup>110</sup> Hattab, 'Hobbes's and Zabarella's Methods, 473; Gauthier argues similarly in 'Demonstration and Construction', 513-514

As argued above, Hobbes's definition of a circle is telling: '*A circle is a plain figure comprehended by one line which is called the circumference, to which circumference all the straight lines drawn from one of the points within the figure are equal to one another*'.<sup>111</sup> The definition of a circle can be seen as a direct criticism of Plato, Aristotle, and Descartes, who differently but agreeably argue that the essence or Form of a circle exists independently of an actual circle. Plato is clearly implied in the following comment, where Hobbes explains that the definition of an object is a description of its generation because its generation sets a more definitive standard than simply observing or formulating its extents:

How the knowledge of any effect may be gotten from the knowledge of the generation thereof, may easily be understood by the example of a circle: for if there be set before us a plain figure, having, as near as may be, the figure of a circle, we cannot possibly perceive by sense whether it be a true circle or no; than which, nevertheless, nothing is more easy to be known to him that knows first the generation of the propounded figure. For let it be known that the figure was made by the circumduction of a body whereof one end remained unmoved, and we may reason thus; a body carried about, retaining always the same length, applies itself first to one radius, then to another, to a third, a fourth, and successively to all; and, therefore, the same length, from the same point, toucheth the circumference in every part thereof, which is as much as to say, as all the radii are equal. We know, therefore, that from such generation proceeds a figure, from whose one middle point all the extreme points are reached unto by equal radii. And in like manner, by knowing first what figure is set before us, we may come by ratiocination to some generation of the same, though perhaps not that by which it was made, yet that by which it might have been made; for he that knows that a circle has the property above declared, will easily know whether a body carried about, as is said, will generate a circle or no.<sup>112</sup>

Hobbes deals with Aristotle and Descartes on different occasions, but the message is similar: 'if a man had never seen the generation of a circle by the motion of a compass or other equivalent

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<sup>111</sup> SL page 205

<sup>112</sup> DeCorp 1.5

means, it would have been hard to persuade him that there was any such figure possible'.<sup>113</sup> In other words, things can only be thought of that have actually been observed (or constructed using various observed objects); and, those same things we are able to imagine are defined sufficiently when formulating their efficient cause without the need to refer to a formal, final, or material cause. Hobbes not only criticises his obvious opponents, but even goes as far as criticising Euclid, on his definition of a point, which is contradictory and non-generative.<sup>114</sup> Euclid defines a point as follows: '*a mark is that of which there is no part*'. Hobbes argues in line with his demand for a generative definition — a definition that states the efficient cause. Euclid's definition of a point,

is neither useful nor true. Theologers say the soul hath no part, and that an angel hath no part, yet do not think that soul or angel is a point. A mark...is visible; if visible, then it hath quantity, and consequently may be divided into parts innumerable. That which is indivisible is no quantity; and if a point be not quantity, seeing it is neither substance nor quality, it is nothing. And if Euclid had meant it so in his definition, as you [(Professor Wallis respectively)] pretend he did, he might have defined it more briefly, but ridiculously, thus, *a point is nothing*.

Hobbes therefore proposes a definition that does not 'deny' the existence of the point: 'a point is that whose quantity is not drawn into the demonstration of any geometrical conclusion: or...whose quantity is not considered'. To argue that there is a point is to know that there *is* something; to argue that one does not have to consider whatever it is one has drawn is to define a point without contradicting one's self by denying that what one has just scribbled on paper does not exist after all.

To argue that the efficient cause is a criterion for a valid definition shows why the man-made sciences of geometry and civil philosophy resemble each other once again. Given that both are man-made, the generation of both will make their definition *true*. As such, what makes the civil law *true* is to know how it has been generated. If the answer is 'the sovereign', the civil law is true because the sovereign *makes* the law. If the answer is 'subject Alice' (who happens to be no master or sovereign), the law is not 'true' — the proposition is not a civil law at all. The generation

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<sup>113</sup> SL page 205

<sup>114</sup> The following quotes are all from SL pages 201-202



of a proposition — its efficient cause — suffices to know if the proposition is a civil law. So too for geometrical figures. Knowing how a circle has been generated suffices to know if the object in front of me is, in fact, a circle. The figure, a triangle for example, does not need to live up to the standards of the perfect Form; one should merely judge a triangle as 'living up' to its generative definition.

Interestingly, Hobbes realises that both moral and civil philosophy will not do with merely an efficient cause. To define the law of nature solely with reference to the means of discovery will not suffice. One needs to define the law of nature in relation to its final cause — in relation to its aims. A final cause is the aim of an object or idea and to exclude the final cause in the definition of a moral concept is to exclude essential information. Take Hobbes's law of nature as an example: 'a precept, or general rule, found out by reason, by which a man is forbidden to do that which is destructive of his life, or taketh away the means of preserving the same, and to omit that by which he thinketh it may be best preserved'.<sup>115</sup> The efficient cause of a law of nature would have to be one's use of reason: one discovers (instead of 'generates') the law of nature through the use of reason.<sup>116</sup> However, the description of the law of nature that follows the generative part of the definition is a final instead of an efficient cause: 'to omit that by which he thinketh [one's life] may be best preserved'.<sup>117</sup> It is false to argue that to not act in a certain way — 'to omit that' *et cetera* — will generate the law of nature. Likewise, it would also be false to argue that one knows what reason will provide without a final cause: merely stating that one will have to use reason does not mean I know what it is I have to reason about. Morality makes no sense without a final clause.

Darwall disagrees and argues that Hobbes 're-identifies final causes as efficient causes as the "endeavours" that cause all voluntary action'.<sup>118</sup> I agree with Darwall that people acting in accord with the laws of nature can be *biologically* explained in reference to endeavours only. The moral aspect, however, is altogether different: the reason *why* I am acting as I do can be explained in physical terms alone, as endeavours. However, the reason why I *ought* to act the way I do (or not do) does not depend on endeavours alone. Hobbes was a great moral philosopher, but he too did not succeed in deriving an ought from an is.<sup>119</sup> He did have an internalist theory of

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<sup>115</sup> L 14.3

<sup>116</sup> The law of nature exists mind-independently and therefore cannot be generated. We do not invent the law of nature while reasoning; we merely discover it.

<sup>117</sup> L 14.3

<sup>118</sup> Darwall, 'Normativity and Projection', 314

<sup>119</sup> Darwall believes otherwise, as he argues in *The British Moralists*, 53: 'John Locke was not the first seventeenth-century philosophy to attempt to find a place for morality and politics within

obligation, which is the doctrine that there is a necessary connection between what one ought to do and what one desires or has a will to do. However, that there is such a connection by one's reasoning and one's acts, aided by one's endeavours, does not justify the statement that one ought to value that obligation. As I quoted Darwall himself earlier on: 'Why does the fact that I happen to desire something create a reason for me to seek it? That I actually desire something seems to be one thing, that it is desirable, something I should desire or seek, another'.<sup>120</sup> Hobbes realises there is something unique about moral philosophy; Hobbes argues that moral philosophy differs from geometry *because there is a need for a final cause*, which 'hath place only in moral philosophy'.<sup>121</sup> Without a reference to a final cause, the definition of the fundamental law of nature would not make sense.

Raphael explicitly confuses moral philosophy and civil philosophy, and the confusion is understandable: Hobbes recognises that civil and moral philosophy have much in common since both have to incorporate a final cause in their definitions to fully explain why one ought to install a commonwealth (civil philosophy) or why one ought to act according to the laws of nature (moral philosophy).<sup>122</sup> To turn to civil philosophy: Hobbes uses final causes besides an efficient cause in both definitions of the commonwealth.

[1.] THE final cause, end, or design of men (who naturally love liberty, and dominion over others) in the introduction of that restraint upon themselves, in which we see them live in Commonwealths, is the foresight of their own preservation, and of a more contented life thereby; that is to say, of getting themselves out from that miserable condition of war which is necessarily consequent, as hath been shown, to the natural passions of men when there is no visible power to keep them in awe, and tie them by fear of punishment to the performance of their covenants, and observation of those laws of nature set down in the fourteenth and fifteenth chapters.<sup>123</sup>

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the framework of the emerging science, without final causes. No doubt the most original and influential in this respect was Thomas Hobbes'.

<sup>120</sup> Darwall, 'Normativity and Projection', 316.

<sup>121</sup> DP pages 83-84

<sup>122</sup> for Raphael's confusion see his *Hobbes*, 18

<sup>123</sup> L 17.1

[2.] A COMMONWEALTH is said to be instituted when a multitude of men do agree, and covenant, every one with every one, that to whatsoever man, or assembly of men, shall be given by the major part the right to present the person of them all, that is to say, to be their representative; every one, as well he that voted for it as he that voted against it, shall authorize all the actions and judgements of that man, or assembly of men, in the same manner as if they were his own, to the end to live peaceably amongst themselves, and be protected against other men.<sup>124</sup>

The first of these two definitions explicitly states that the creation of a commonwealth does have a final cause: it 'is the foresight of their own preservation, and of a more contented life thereby'. The second definition as described in chapter XVIII of *Leviathan* describes the efficient cause in more detail, explaining what that 'restraint upon themselves' is; namely, to covenant to install a sovereign. The second definition only makes a reference to the final cause at the very end, where Hobbes refers to 'the end' that individuals have when they set up a commonwealth: 'to live peaceably amongst themselves, and be protected against other men'.<sup>125</sup> Similar to the moral sciences and its definition of the natural law: if the commonwealth were to be defined using only the efficient cause, important information would be missing. To argue that the commonwealth is set up through handing over one's right to everything, does not suffice — it does not explain why an all-powerful government is required when our nature is anything but politically apt. One needs to address the question 'why does one want a Hobbesian absolute state?' to explain why one ought to desire such a form of government. The answer: one's aim for preservation. Only an all-powerful sovereign who is able to keep all in awe serves the purpose that one envisions when signing the social contract.

Geometrical truths are dependent on man-made lines and figures which means geometry is dependent on man's will, enabling a self-contained science given no external liabilities can throw doubt on the problems posed within pure geometry. The definitions that describe geometrical figures are man-made and their generation is obvious, contrary to the natural and moral sciences. That is not to say that geometry is *wholly* dependent on one man's arbitrary

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<sup>124</sup> L 18.1

<sup>125</sup> Gauthier has different reason to cite the peculiarity of the final sentence of the chapter 18 definition of a commonwealth, however, I would not have noticed its peculiarity without the reference to the same quote in his 'Demonstration and Construction', 517-518.

will.<sup>126</sup> The shortest distance between two points remains a straight line, whoever it is that seeks the shortest distance.<sup>127</sup> In other words, the shortest distance between two points is the same for all, independent of any one's particular will. However, in geometry, the line that shows what is the shortest distance that one can observe between two extremes is man-made. One *can* draw the figures and lines that make up geometry, however independent of man's will the truths of geometry are. The moral law is objective in the same sense as the shortest distance between two points: the shortest distance is independent of any one's will, and so is the truth of the moral law. However, its starting point — the definition of the law of nature — cannot be drawn; it is already drawn for man.

I concur with Talaska 'that Hobbes wanted to infuse into all of philosophy the kind of rigor he saw in geometry'.<sup>128</sup> Yet, such rigour does not mean the standards and methods science of truth are uniform across the board. I concur with Hattab that science is thus not dependent on *one* unifying method; rather, what makes a field of inquiry a science is to have *a* method.<sup>129</sup> Hobbes regards method as order; an order which can differ between different fields of inquiry, as it certainly does between the moral sciences and geometry. Moral philosophy's author is different and its founding definition is in need of a final clause to become intelligible. This changes the standards of truth and explains Hobbes's words that moral philosophy 'rests upon its own principles'.<sup>130</sup> Truth in the moral sciences depends on a definition that includes a final cause; a cause that is unnecessary for a geometrical definition, which makes the search for truth in moral matters different from the search in geometry.

The first section of the previous chapter shows that the final cause that is part of the definition of the law of nature is written by nature. In effect, the definition of the law of nature is independent of any one's *particular* desires since morality's creation is in the hands of something external to the individual. The laws of nature remain dependent on the ability to desire. Hobbes's admission that moral philosophy is in need of a final cause changes the method from those used in geometry. The aim of the natural law is not a man-made product, which changes the standards of truth as found in geometry. The true moral law refers to a natural need for survival.

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<sup>126</sup> Here too I concur with Adams, 'Hobbes, Definitions, and Simplest Conceptions', 53-55.

<sup>127</sup> DeCorp 14.1

<sup>128</sup> Talaska, 'Analytic and Synthetic Method', 207

<sup>129</sup> Hattab, 'Hobbes's and Zabarella's Method'

<sup>130</sup> DCv Preface, 19

## II. On reason

The inclusion of a final clause to the foundational concepts marks the second difference between geometry and the moral sciences. I do not believe this difference shows influences what Deigh correctly states, namely that there are *no* substantive criteria to reason. For one to reason correctly one only has to judge one's process – there are merely formal criteria to reason. Similar to Deigh's definitional approach, truth is 'analytic'.<sup>131</sup> Yet I argue that the primary propositions that one starts reasoning from already include a final clause in the sense that the truth of the non-fundamental laws of nature depends in part on the ability of each to aim for nature's preservation – that which the fundamental law of nature aims for. In other words, even if one were to reason syllogistically, a final clause is part of the starting premises, which solves the puzzle Bernard Gert and John Deigh have left the orthodox with using different arguments against the orthodox view of reason.<sup>132</sup> This is a puzzle concerning reason, focusing on (a) the foundations concerning moral matters and (b) if reason is purely formal or substantive. As I've argued in the previous and current chapters, the starting concepts of our moral reasoning – fore mostly the concept of the law of nature – does have a 'true' definition that relates to external standards; standards other than those made by man. Definitions are not arbitrary. Because there is an ability to judge our starting (moral) concepts as just or wrong, our ability to reason is already limited: one cannot reason using false definitions. However, there is no further criterion to reason; reason does not command you to value one's or any one else's preservation *in itself*. To defend my position on reason I will discuss three varying views on reason as defended by the orthodox, Deigh, and Gert.

The orthodox argue the laws of nature are imperative only to those who value the end of the natural law, which is one's preservation. This is an instrumental account of reason: 'whether particular ends of people are rational or irrational depends entirely on their compatibility with their other ends; no ends are in themselves rational or irrational. There is no limit on the possible ends that can count as rational; all that is required is that a person's system of ends be mutually coherent'.<sup>133</sup> As such, the moral law depends on desires, and merely needs a formal account of reason to determine the most efficient and effective ways towards one's objects of desire. There are no limits to what can be judged morally acceptable. 'The instrumental role of practical reasoning in Hobbes's account is thus emphasized in his discussion of the reasonableness of justice, in which he identifies what is "against reason" with what is "against...benefit". The

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<sup>131</sup> Krook, 'Meaning and Truth', 6; Deigh, 'Reason and Ethics', 50

<sup>132</sup> Gert, 'Hobbes on Reason' and 'Account of Reason'; Deigh 'Reason and Ethics'

<sup>133</sup> Gert, 'Hobbes on Reason', 244. See Gauthier, 'Thomas Hobbes: Moral Theorist' and *Morals by Agreement*, 48-52 for a defence of an orthodox Hobbesian account of reason and morality.

measure of the reasonableness of an action is the extent to which it conduces to the agent's ends'.<sup>134</sup> Though Hobbes defines reason as mere reckoning and all sciences are '*knowledge of the consequence of one affirmation to another*', this is mere verbal reasoning, used to deduce truths from the starting point that is one's desires.<sup>135</sup> There are two fundamental objections to this formal instrumental account of reason.

The first is the argument I have put forth earlier on from Gert when he argues that '[r]eason's dictates are categorical; it would be a travesty of Hobbes's view to regard the dictates of reason as hypothetical judgments addressed to those men whose desire for their own preservation happens to be greater than any conflicting desire'.<sup>136</sup> It should come as no surprise that I agree with Gert's general idea that the laws of nature were not described as dependent on any one's opinion; they have a categorically imperative character, which is somehow guided to make it look as if there is a material criterion of reason.<sup>137</sup> Whereas the orthodox argue that reason is instrumental, Gert argues that 'rationality requires more than instrumental or verbal reason, it also requires natural reason which tells everyone to avoid death, pain, and disability. Both natural, instrumental and verbal reason are required for Hobbes to derive the laws of nature'.<sup>138</sup> Gert's interpretation adds a material criterion to reason from which further truths can be deduced using verbal reason. The material criterion means that, according to Gert, not all processes of reasoning can be judged reasonable – one has to judge the starting premises and assumptions also to judge one's conclusions reasonable. Those that argue 'I do not want to survive' are therefore wrong to argue so. Whatever it is people *actually* value, people *ought* to value their survival.

Deigh disagrees with both accounts, for which he depends heavily on the definition of reason, truth, and science, as laid out in chapters 4 and 5 of *Leviathan*. These chapters emphasise that reason is nothing but reckoning from true premises, from which further truths may be deduced. But, again, it is the starting point of our reasoning which is interpreted differently. Against Gert's material criterion of reason, Deigh argues in favour of a formal criterion of reason as used in his definitional account of reason: 'Rather than represent him as accepting a material criterion of reason and thus abandoning the definition of reason he gives in chapter five, it

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<sup>134</sup> Gauthier, 'Thomas Hobbes: Moral Theorist', 549

<sup>135</sup> L 9.1

<sup>136</sup> Gert, 'Hobbes on Reason', 255

<sup>137</sup> See Hoekstra, 'Law, Nature, and Reason', 118-120

<sup>138</sup> Gert, 'Hobbes on Reason', 255

represents him as applying a formal criterion – whether the third law follows as a theorem of a branch of science – and thus remaining faithful to that definition’.<sup>139</sup> As such, Deigh believes only a formal criterion to reason remains, though he does so differently from the orthodox: Deigh argues that the sciences, including the moral sciences, do not depend on desires, but on definitions instead. ‘Science, then, is the knowledge of the consequences of these definitions; and each branch of science is distinguished from the others by its subject matter, which means by the general terms whose definitions are the starting points of the knowledge it yields’.<sup>140</sup> As argued above, Deigh believes those definitions depend on their common use.

Against Deigh and Gert, I argue in line with the orthodox that desires *are* the starting point of our reasoning concerning morality. Yet, it is not like the orthodox where the law of nature’s duty depends on a subject that actually entertains their value for preservation, but instead on the fact that all desire *something*, as argued in chapter 2. This means that the *rational*, and therefore universal, laws of nature are dependent on a subjective ability still.

Hobbes argues that our desires are the foundations of our *rational* guided acts. ‘From desire ariseth the thought of some means we have seen produce the like of that which we aim at; and from the thought of that, the thought of means to that mean; and so continually, till we come to some beginning within our own power’.<sup>141</sup> Hobbes continues this passage by quoting an advice from ‘one of the seven wise men’, which states ‘*respice finem*: that is to say, in all your actions, look often upon what you would have, as the thing that directs all your thoughts in the way to attain it’.<sup>142</sup> As such, one ought to remember what its is one aims for when acting – one needs a final cause to give meaning to one’s acts. Desires provide meaning as a moral theory relies on ‘the known natural inclinations of mankind, and upon the articles of the law of nature’ which depend on the fear of living in a state of nature.<sup>143</sup> Elsewhere, Hobbes defines ethics as the knowledge of ‘[c]onsequences from the *passions* of men’ for ‘moral philosophy is nothing else but the science of what is *good* and *evil* in the conversation and society of mankind’.<sup>144</sup> The reference to good and evil shows the link to the passions once again, because ‘*good* and *evil* are names imposed on

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<sup>139</sup> Deigh, ‘Reason and Ethics’, 41; see page 59 for a reiteration of the importance of definitions as the foundation of scientific reasoning.

<sup>140</sup> *ibid.*

<sup>141</sup> L 3.2

<sup>142</sup> *ibid.*

<sup>143</sup> L Review & Conclusion

<sup>144</sup> See the table provided in chapter IX of L, and L 15.40.

things to signify desire for or aversion from the things so named'.<sup>145</sup> To argue that moral philosophy 'consider[s] the motions of the mind, namely, *appetite, aversion, love, benevolence, hope, fear, anger, emulation, envy, &c.*' is to say that moral philosophy considers the things we call good on the one hand and those we fear on the other — one's subjective attitude and desires enable a moral theory, though they do not influence its obligatory status.<sup>146</sup>

Considering the question if Hobbes's account is purely formal or if reason provides a substantive claim, I believe reason is indeed purely formal. However, Hobbes's description of human nature as universal in its most basic respects concerning desire, fear, and hope, enables a prudential theory of obligation to sip through an otherwise commanding 'law'. As soon as one has a desire — any sort of desire — reason will show that one ought to survive to enjoy, what ever it may be one values. From this most basic starting premise, it necessarily follows, according to Hobbes, that one ought to preserve one's self *given Hobbes's internalist theory of obligation*. As soon as one entertains a desire, Hobbes's internalist theory of obligation shows that such a desire naturally leads to an obligation. All who desire ought to prudentially aim to survive. Since Hobbes believes all in fact do desire something, Hobbes argues all ought to aim for their preservation.

I therefore concur with Hoekstra, who argues that reason provides a 'directive desire' since any desire aided by reason will conclude one's preservation is indeed most helpful:

If we understand Hobbesian reason as formal and deductive, the laws of nature must rely for their force on the needs and desires of human nature. There is much evidence, however, that Hobbes does think of reason itself as natural, or dependent on a directive desire. Either way, Hobbes's ethics remains firmly rooted in what he believes to be the natural necessities of human nature.<sup>147</sup>

I too interpret Hobbes as arguing an ethics that is rooted in human nature. More importantly, I believe the 'directive desire' Hoekstra refers to is the fact of our need to desire translated into a final cause that makes sense of the laws of nature. Whereas the orthodox believe one particular desire to survive will suffice, I agree with Gert that this is too weak — the moral law obliges always, and those who do argue they do not need to survive are simply wrong. The inclusion of the final

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<sup>145</sup> DCv 3.34

<sup>146</sup> DeCorp 6.6

<sup>147</sup> Hoekstra, 'Law, Nature, and Reason', 120



cause that depends on man's general need to desire 'solves' the puzzle: a formal criterion of reason with premises that all can agree with – the most general ability to desire *anything*.

My interpretation of reason stresses, like the other three interpretations, that right reason includes 'verbal reason' and 'deductive reason'. The nineteen laws of nature that Hobbes deduces from the original law of nature will therefore remain *true*, as long as they live up to the standard set out in the premises. The nineteen laws of nature are true if they aim for the same final clause that the initial law of nature describes.

### III. Conclusion

Many have argued that according to Hobbes all sciences, including moral science, have to resemble the methods used in geometry. On this account, the answer to the question 'what makes the laws of nature true?' should resemble the answer 'what makes geometrical propositions true?' This and the previous chapter shows why this is incorrect. There are two significant differences between the moral sciences and geometry. First, its author is different, and second, its foundational definition — the law of nature — requires the inclusion of a final clause to make its science intelligible.

| Cause / Author      | Man              | Nature           |
|---------------------|------------------|------------------|
| Efficient           | Geometry         | Natural Sciences |
| Efficient and Final | Civil Philosophy | Moral Philosophy |

Table 6: The four sciences

I agree with Deigh that orthodoxy is wrong to argue that the laws of nature are dependent on anyone's particular desires. Rather, the laws of nature are dependent on an ability to desire. Moral philosophy's most basic concept is the law of nature and, unlike geometrical concepts, its definition is in need of a final cause. The definition in moral science from which one starts reasoning is not as 'simple' as geometrical definitions are because of this final cause. Whereas the definitions in mathematics suffice using generative definitions reminiscent of an efficient cause, moral science's primary definition includes a final cause. The inclusion of a final cause is necessary because its exclusion would make the law of nature unintelligible: the law of nature would make little sense when one would stop defining after the words that the law of nature is 'a precept, or general rule, found out by reason'. The definition of the law of nature has to explain what the law

of nature is, which is (a) a law, that is (b) natural that (c) one finds using reason and (d) aims to preserve. Clause (c) is the generative clause; clause (d) its final clause.

The final cause is a mind-independent feature of the laws of nature. Its creation is, unlike the lines and figures made in geometry, subject to an author other than one's self. Watkins, Krook, and Deigh all believe that morality *is* dependent on man, which explains Watkins' reference to a Humpty-Dumpty theory of truth concerning moral matters. However, truth is not conventional but relies on man's natural ability to desire.

Unlike geometry, moral truths are not man-made, but work in reference to a God-given final cause. A cause which geometry has no need to refer to. The final cause explains why Hobbes believes the law of nature is a dictate of reason while simultaneously arguing that morality is the science that explains the 'consequences from the *passions* of men'.<sup>148</sup> The moral sciences are founded on its most relevant concept, the law of nature, that only makes sense using a final cause, which on its own terms can only be understood when one takes into account man's moral psychology — a nature, a passion, common to all of mankind.

Hobbes's moral factualism agrees with the orthodox that desires are the starting point of a moral theory. For the orthodox, however, the laws of nature are hypothetical imperatives that *become* obligatory *if* one values their preservation. I too argue that if only unreasonable individuals were to survive who did not desire anything at all the laws of nature would not make sense. There is no *a priori* moral imperative to argue that life is valuable. Where Hobbes's moral factualism differs from the orthodox is on the status of preservation: whereas the orthodox argue that the laws of nature become obligatory as soon as one values their preservation, I argue that the laws of nature become obligatory as soon as someone values *something*, which is true at all times, according to Hobbes.<sup>149</sup> The pursuit for survival is merely a prudential necessity.

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<sup>148</sup> L See the table provided in chapter IX of L.

<sup>149</sup> See Chapter 2, section IV.

## CHAPTER 5 – HOBBS'S MORAL REALISM: AGAINST CONVENTIONALISM

Hobbes's moral factualism bases a moral theory on nonmoral properties, on facts. Both the orthodox and I believe Hobbes is an ethical naturalist, though orthodox interpreters Hanson and Gauthier pair this to a moral conventionalism, which is the doctrine that a common moral standard of right action can exist, but only by virtue of a human convention that establishes such a standard. I disagree and instead argue that Hobbes is a moral naturalist and moral realist. His moral realism lays the foundation for a more comprehensive ethical naturalism which argues:

1. The laws of nature refer to objective features of the world, independent of one's desires.
2. The laws of nature are moral propositions that are truth-apt, and true.
3. Moral objective features are reducible to non-moral features.

(1) Shows that the laws of nature are not an expression of those who happen to prefer life over death. The laws of nature are propositions which describe the world as it really 'is'. (2) Implies that the laws of nature are dependent on man's universal psychology rather than on discrete and particular desires, which means the moral law is universal instead of particular. (3) Argues that the two non-moral objective features that morality can be reduced to are universal greediness and the universal ability to use reason.<sup>1</sup>

The first two points have been discussed earlier on in this thesis. This chapter focuses on the final point, which mentions the universal ability to use reason. Gauthier namely argues that once in a commonwealth, citizens are obliged to give up their private reason for the sake of a public reason. However, I believe Gauthier reads too much into this difference. I argue that reason is universal and unalterable and ought not to be given up. The only use Hobbes gives to private reason is the ability for an individual to act as a judge in the state of nature, whereas in a commonwealth, one loses such a right. A public reason in relation to one's reasons for acting or complying are never described: reason as the process of ratiocination is not subject to change.

The first section of this paper shows the common misconception of Hobbes's moral theory as based on the desire for survival that individuals might or might not have and a related conventional moral theory as its result. Even though I agree with the orthodox that Hobbes is an ethical naturalist, I argue instead that Hobbes supports a moral realism that obliges all to use

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<sup>1</sup> DCv Epistle Dedicatory, 6

reason instead of a natural law that is self-effacing.<sup>2</sup> The obligation to use reason applies to citizens and sovereigns alike. This does not limit the sovereign in a legal sense since the sovereign is not part of the social contract. The sovereign may expect opposition when he or she is unable to guarantee the safety of the people. As such, justice as the ability to protect people's life, is the unique benchmark against which citizens can measure the sovereign and act accordingly. The second section discusses a recent addition to this debate with authors, such as May, who have argued that it is 'equity, not justice, [that] is the dominant moral category in Hobbes's political and legal philosophy'.<sup>3</sup> I disagree and argue in defence of Tom Sorell's words that equity does *not* 'contribute to a genuinely anti-authoritarian strand in Hobbes's political philosophy'.<sup>4</sup> As the previous chapter shows, justice paves the way for peace; peace enables self-preservation, which is the sole aim of the law of nature. The third and final section argues that Hobbes's obligation to use reason with an aim to preserve nature is not up for debate. Hobbes is a moral realist, not a moral conventionalist.

#### I. Ethical naturalism and the obligation to use reason

Like the orthodox interpretation of Hobbes's moral theory, a moral factualist interpretation argues Hobbes is an ethical naturalist. The laws of nature are true dependent on the ability to desire that makes preservation a necessary aim for all, as argued in the previous chapter. Hobbes therefore defends a form of ethical naturalism, that

ask[s] no more of the world than we already know is there—the ordinary features of things on the basis of which we make decisions about them, like or dislike them, fear them and avoid them, desire them and seek them out. It asks no more than this: a natural world, and patterns of reaction to it.<sup>5</sup>

Whereas the orthodox believe the moral law to be obligatory only to those who value their survival, I argue that the moral law applies to all who value something, anything. If one values something (and all in fact do), one *necessarily* has to be alive to enjoy whatever that something might be. It is therefore an absolutely certain postulate of reason *given* the fact of man's

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<sup>2</sup> contra Lloyd, *Morality in the Philosophy*, 265; See also Lloyd, 'Self-effacing Natural Law'

<sup>3</sup> May, 'Hobbes on Equity', 241

<sup>4</sup> Sorell, 'Law and Equity', 2

<sup>5</sup> Blackburn, *Spreading the Word*, 182

greediness, that one necessarily ought to remain alive. Greediness is thus the starting point of moral philosophy — the passion common to all — and the need to survive is a result of man's greediness since there is always something to strife for.

Man's greediness is the foundation of morality, and similarly the foundation of war, because people are greedy towards a good that is always short in supply: glory. As Abizadeh argues: 'The passion crucial to Hobbes's account of war is glory — not Morgenthau's *animus dominandi*, not Strauss' vanity, but glory, the passion that renders humans sensitive to, and quick to anger at, perceived signs of contempt.'<sup>6</sup> War does not arise from a scarcity of goods<sup>7</sup>, nor does it spring from a nature to man that is inherently vile<sup>8</sup>, or a lack of knowledge about other's intentions<sup>9</sup>; rather, war stems from 'trifles, as a word, a smile, a different opinion, and any other sign of undervalue'.<sup>10</sup> The foremost cause of war is glory — the dominant irrational, and therefore *immoral*, desire. As argued earlier, people are determined according to their self-interest, which does not have to be a rational interest. On the contrary, 'men are continually in competition for honour and dignity' which means man's 'joy consisteth in comparing himself with other men'.<sup>11</sup> The chances of entering into a disagreement are increased when one compares one's self with others because 'all men are by nature provided of notable multiplying glasses (that is their passions and self-love), through which every little payment appeareth a great grievance, but are destitute of those prospective glasses (namely moral and civil science) to see afar off the miseries that hang over them and cannot without such payments be avoided'.<sup>12</sup> To act for the sake of no end in sight but one's glory 'is vain-glory, and contrary to reason'.<sup>13</sup> Hobbes links the pursuit for glory with a passion for courage, which 'inclineth men to private revenges, and sometimes to

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<sup>6</sup> Abizadeh, 'Causes of War', 308. Slomp's argument is similar in the sense that competition for glory is the principal cause of war. See Slomp, 'Hobbes on Glory', 188.

<sup>7</sup> Gauthier believes scarcity to be the primary cause for war: 'if the state of nature were a state of plenty, then men might refrain from hostility', in *Logic of Leviathan*, 18. Tuck disagrees in his introduction to DCv xxiii–xxiv. See also Tuck, 'Hobbes's Moral Philosophy', 187.

<sup>8</sup> Strauss, *The Political Philosophy of Hobbes*. Abizadeh ('Causes of War', 306) argues against this view: '[t]he problem of glory refers not to the inherently aggressive nature of humans, but to their *prickly* and defensive character'.

<sup>9</sup> McNeilly, *Anatomy of Leviathan*, 164–165. McNeilly argues it is a game-dominant strategy to attack preemptively. As such, man remains in a state of war where no sovereign reigns to keep us all in awe given that preemptive strikes rule out the possibility of signing a contract which is founded on trust.

<sup>10</sup> L 13.7

<sup>11</sup> L 17.7–8

<sup>12</sup> L 18.20

<sup>13</sup> L 15.19

endeavour the unsettling of the public peace'.<sup>14</sup> Glory is granted to those who come on top – a place which, by definition, makes for a scarce resource and, therefore, food for competition. The main instrument towards peace is man's use of reason. And, because Hobbes argues all ought to aim for peace, I believe Hobbes also argues that all ought to use reason at all times – in times of peace and in times of war.

The previous chapter shows that the law of nature has a generative part, that resembles the efficient cause, and a final cause which describes the aim of our acts, which is ultimately nature's preservation. The final cause translates into a moral duty as: one is forbidden to kill *because* all ought to aim for their survival. I believe, however, that the efficient cause also translates into one more obligation: the obligation to use reason, *at all times*: in the state of nature *and* during times of peace.

The previous chapter also argues the passions are the starting ground of Hobbes's moral philosophy, yet Hobbes argues that the laws of nature are the dictates of reason. Greediness is the passion that remains the foundation: because all are greedy, all ought to rationally aim for their survival. The laws of nature would not make any sense if people were not able to desire something. However, the questions what the laws of nature are about does not automatically answer the question what it is that obliges them, which is reason. The dictates of reason pursue peace because it enhances one's chances to survive. One's survival is merely a necessary aim, and those rational enough will discover that one's preservation is a necessity, independent of one actually valuing survival in itself. What we can also judge rational is not just the aim for survival, but also 'the means a person adopts to achieve one's system of ends'.<sup>15</sup> In that case, one's rationality is measured by the efficiency and result of the means one adopted to achieve any formulated end. If we view rationality as instrumental rationality it shows one is obliged *in foro interno* to use reason. Given all value survival, what are the means a person adopts to achieve this end? According to Hobbes, the laws of nature – the 'conclusions or theorems concerning what conduceth to the conservation and defence of themselves'.<sup>16</sup> Applying the same construction to the next question we get 'what are the means we should adopt to find the laws of nature?' The answer: use reason. Because one is obliged to endeavour the execution of the laws of nature, it

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<sup>14</sup> L Review and Conclusion.2

<sup>15</sup> Gert, 'Hobbes on Reason' 244. Gert's interpretation is based on Hobbes's statement that 'all men agree on this, that peace is good; and therefore also the way or means of peace...are good...and their contrary vices, evil' (L 15.40; DCv 3.31). Thus, x is good, and therefore also the ways or means to x are good.

<sup>16</sup> L 15.41

follows one is equally obliged to use reason. 'Hence, clearly, anyone who willingly and knowingly does things which will have the effect of weakening or destroying his rational faculty is willingly and knowingly violating the law of nature'.<sup>17</sup> What started with (a) a universal ability to reason, and (b) a universal greediness, turns into a (c) universal obligation to use reason at all times – in a state of nature *and* in a commonwealth.

For all the negative tales surrounding man's susceptibility to engage in war based on an addiction for gain and fame, and the claim that man is a wolf to other men, willing to hurt one another, Hobbes shows great trust in man's ability to reason.<sup>18</sup> 'Reason is no less the nature of man than passion, *and is the same in all men*', and because all are capable of using reason, the law of nature 'need not any publishing or proclamation; as being contained in this one sentence, approved by all the world, *[d]o not that to another, which thou thinkest unreasonable to be done by another to thyself*'.<sup>19</sup> The law of nature 'is the true and only moral philosophy', 'the dictates of reason', and because they are universally available they are applicable to all given that one's 'private' reason's correctness can be measured by comparing it to other's use of reason: '*outside of a commonwealth..., each man's own reason must be regarded not only as the measure of his own actions..., but also as the measure by which to judge the reasoning of others in his affairs*'.<sup>20</sup>

Those dictates also apply at all times, however, orthodox interpreter Gauthier argues that when entering the commonwealth all individuals are required to give up their ability to reason on an individual level, and instead, should rely on conventional reason, embodied in the sovereign.<sup>21</sup> Sarah Lloyd argues a similar relevant point: subjects ought to give up their ability to reason in a commonwealth since 'the core commitment of the natural law...imposes upon subjects a genuine and virtually indefeasible duty to comply with the sovereign's civil laws, even when the behaviors commanded violate the requirements of discrete particular Laws of Nature'.<sup>22</sup> Lloyd dubs this position a self-effacing natural law theory since the natural law commands one to give up the natural law's teachings for the sake of the civil law. Any sort of reasoning on an individual level is forbidden and counterproductive to the main aim of a commonwealth, which is preservation.

Contrary to Gauthier's and Lloyd's findings, Hobbes explicitly argues its opposite. The natural law is not self-effacing; the natural law obliges at all times, and lays the foundation for the

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<sup>17</sup> DCv 3.25

<sup>18</sup> See L 13.6-9; DCv 1.2-3 and the Epistle Dedicatory

<sup>19</sup> EL 15.1, emphasis added; L 15.35

<sup>20</sup> DCv 2.1

<sup>21</sup> Gauthier, 'Thomas Hobbes: Moral Theorist'

<sup>22</sup> Lloyd, *Morality in the Philosophy*, 265; See also Lloyd, 'Self-effacing Natural Law'

civil law to remain sovereign. No society can depend on a people that are all *unreasonable*, or worse, *incapable* of using reason, which is why Hobbes argues that 'we are not to renounce our senses and experience, nor...our natural reason'.<sup>23</sup> He argues so because Hobbes believes it impossible to give up this faculty in similar fashion to his belief that it is impossible to give up one's right to self-defence when entering a commonwealth. We enter a commonwealth for the sake of preservation. It would be a contradiction to sign a contract that commands one to remain silent and obedient when the contract turns against the sole reason for which one signed the contract.

there be some rights which no man can be understood by any words, or other signs, to have abandoned or transferred. As first a man cannot lay down the right of resisting them that assault him by force to take away his life, because he cannot be understood to aim thereby at any good to himself. The same may be said of wounds, and chains, and imprisonment, both because there is no benefit consequent to such patience, as there is to the patience of suffering another to be wounded or imprisoned, as also because a man cannot tell when he seeth men proceed against him by violence whether they intend his death or not. And lastly the motive and end for which this renouncing and transferring of right is introduced is nothing else but the security of a man's person, in his life, and in the means of so preserving life as not to be weary of it. And therefore if a man by words, or other signs, seem to despoil himself of the end for which those signs were intended, he is not to be understood as if he meant it, or that it was his will, but that he was ignorant of how such words and actions were to be interpreted.<sup>24</sup>

On the same line of reasoning, it is wholly irrational to therefore get rid of one of the most powerful tools we have to secure our preservation, which is self-defence *and* one's ability to use reason. Renouncing this capability lessens your chances to survive and it is therefore rendered nonsense to do so. Hobbes admittedly argues, 'one has renounced natural reason as the court of appeal' when a covenant is in place. However, man is required to renounce natural reason as a court of appeal only in the sense that we cannot take justice in our own hands in a

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<sup>23</sup> L 31.3

<sup>24</sup> L 14.8



commonwealth, whereas we were forced to take justice into our own hands in a state of nature.<sup>25</sup> Yet, this does not mean we ought to forego of our natural reason in those matters, which the laws of nature discuss, namely: our survival, our preservation. Similar to Hobbes's remarks that no one can be forced to give up the natural right to self-defence, Hobbes argues that no one would profit from renouncing their capability to reason, whereas the sole purpose of a contract is for all parties involved to satisfy at least one desire. As argued in the first chapter of this thesis, no one signs a contract which one believes will be unprofitable compared to the status quo. The social contract is nothing different. Self-defence cannot be given up because whatever it is one might get in return it cannot be more valuable than one's life — one necessarily needs to live to enjoy whatever it is one values thus one's preservation is a necessary prerequisite to our enjoyment. When we apply this to the social contract one can easily see that the reason one ought to sign is because the prospect of living in a commonwealth without one's right of nature, free from war, far exceeds the value of living in a state of nature where one is in possession of one's natural right but with war as its necessary companion. Such a state of affairs is simply too nerve-wrecking, according to Hobbes.<sup>26</sup> That rational deal does not change its equation in a commonwealth. One signed the contract for the sake of preservation and as soon as that part of the deal cannot be delivered, the deal is off. So whenever the sovereign commands laws which are contrary to my interest for survival, I am absolved from my obligation to follow the civil law.

If a man be held in prison or bonds, or is not trusted with the liberty of his body, he cannot be understood to be bound by covenant to subjection, and therefore may, if he can, make his escape by any means whatsoever.<sup>27</sup>

The transaction that involves one giving up one's natural rights, cannot involve giving up one's body, because the aim for any commonwealth is to preserve life. Giving up one's body is against reason; it is against the *fact* that all need their survival. As soon as the sovereign demands one's life, or is unable to defend one's life, one's obligation towards the sovereign is nullified.

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<sup>25</sup> DCv 1.9

<sup>26</sup> DCv 1.2, where Hobbes argues that 'One must therefore lay it down that the origin of large and lasting societies lay not in mutual benevolence but in men's mutual fear'.

<sup>27</sup> L 21.22

The obligation of subjects to the sovereign is understood to last as long, and no longer, than the power lasteth by which he is able to protect them. For the right men have by nature to protect themselves, when none else can protect them, can by no covenant be relinquished.<sup>28</sup>

Likewise, a sovereign who renounces the rights he or she had received upon the erection of the commonwealth, loses the ability to safeguard his or her people, which is against reason and therefore nullified: 'If a monarch or sovereign assembly grant a liberty to all or any of his subjects, which grant standing, he is disabled to provide for their safety, the grant is void'.<sup>29</sup> One cannot rationally sign a contract that enhances one's chances of death; one cannot sign a contract that lessens one's chances to survive. That is why one cannot promise to give up resistance in relation to one's life. This holds true even when one *has* signed such a contract by force, when it might have seemed rational at first to do so:

A covenant not to defend myself from force, by force, is always void. For (as I have shown before) no man can transfer or lay down his right to save himself from death, wounds, and imprisonment, the avoiding whereof is the only end of laying down any right; and therefore the promise of not resisting force, in no covenant transferreth any right, nor is obliging. For though a man may covenant thus, unless I do so, or so, kill me; he cannot covenant thus, unless I do so, or so, I will not resist you when you come to kill me. For man by nature chooseth the lesser evil, which is danger of death in resisting, rather than the greater, which is certain and present death in not resisting.<sup>30</sup>

The same line of reasoning applies to the use of reason: no one could rationally sign a contract in which one foregoes to reason because it is simply never in one's interest to do so.

One cannot because of at least two assumptions in relation to times of war, which Hobbes believes are indisputably true. First of which is the fact that a difference of opinion inevitably leads to war: society is made up of prickly individuals who are willing to fight over truly anything. Wars are ignited by 'trifles, as a word, a smile, a different opinion, and any other sign of

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<sup>28</sup> L 21.21

<sup>29</sup> L 21.20

<sup>30</sup> L 14.29

undervalue' given 'the mere act of disagreement is offensive'.<sup>31</sup> It is the commonwealth's priority, if not sole purpose, to establish peace by defining common standards. Even the meaning of a word is settled conventionally through the will of a sovereign who knows no opposition. It is the sovereign's job to 'ensure the peace and prosperity of all, [by] giving common, binding meanings to words like *mine* and *thine*, *just* and *unjust*'.<sup>32</sup> Confusion and disagreement, even over arbitrary definitions, are the foundations of quarrels. The laws of nature, however, cannot be settled by an arbitrary opinion from a sovereign alone. As argued in the previous chapters, they are 'out there' for all to discover and I argue that all are obliged to discover them. Merely following the words of others, even if they propagate the correct laws of nature, is bound to fail in the long run because one does not listen to those laws of nature due to their correctness. One cannot know if these are the *correct* laws of nature because one has given up their ability to use reason. Rather, one follows such opinions – however correct they might be – solely based on their master's reputation or rhetorical skills. Such followers are heretics; part of a sect. Hobbes explains:

A sect is a number of men who follow the same master in the sciences, one whom they have chosen for themselves, at their own discretion (...) For though I think the founders of the sects themselves (Plato, Aristotle, Zeno, and Epicurus) really were philosophers...I still do not think their followers ought to be called philosophers. They understood nothing (...) For they did not know the principles and reasonings on which their doctrines rested.<sup>33</sup>

Hobbes continues, arguing, '*heresy* denotes only an opinion which has been made known, whether it is true or false, in accordance with the law or contrary to it'. The reason why merely promoting the correct moral code is not on a level par with understanding their truth is because such declarations make reason unused or passive, likely fed by rhetoric – a form of 'art' Hobbes is adamant to denounce.<sup>34</sup> Rhetoricians are capable of winning an argument and convincing crowds, using their words to overrule reason 'by the advantage of false dice'.<sup>35</sup> All rational citizens will realise that they have to avoid conflict by living according to reason; and, wherever reason has no

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<sup>31</sup> L 13.7; DCv 1.5

<sup>32</sup> Pettit, *Made with Words*, 142. Similar claims are made by Wolin, *Politics and Vision*, 260; Tuck, *Hobbes*, 152; and Blau, 'Hobbes on Corruption', 611.

<sup>33</sup> L Appendix of the Latin edition, chapter II

<sup>34</sup> Garsten, *Saving Persuasion*, 25-54

<sup>35</sup> B page 38

place, the sovereign *creates* the standard that all have to adhere to. Hobbes thus believes that it is the sovereign's forte to define the commonwealth's religion, because such matters cannot be based on reason.<sup>36</sup> Given the laws of nature are eternal and immutable, the use of reason is a much stronger and secure foundation for the success of a commonwealth than the use of rhetoric, employed by mortals. Even if an orator were to succeed in convincing all to live according to the rules of the commonwealth, no one can guarantee the next generation's orators will be as successful. Right reason, however, is eternal, which argues it categorically rational to pursue one's survival (as long as one desires something). Reason outlives a particular orator which means it unreasonable to eliminate the ability to reason and simply follow someone else's. As Hobbes says, 'it is unreasonable...to require of a man endued with reason of his own to follow the reason of any other man, or of the most voices of many other men'.<sup>37</sup> The natural law indeed commands obedience. However, the obedience is legitimate only up to the level that one survives the obedience required.

Hobbes's warning to subjects that no law is legitimate when it touches one's survival shows that the natural law is not self-effacing. My interpretation turns Straussian in the sense that the law of nature builds on an irrevocable right to self-preservation.<sup>38</sup> In support of the impossibility to forget one's survival, Hobbes argues it is unreasonable to forego one's ability to use reason: *one is obliged to use reason*.

## II. On equity

The obligation to use reason implies the sovereign is not 'absolute, unlimited, unconditional, irrevocable, and indivisible' because one is allowed to judge a situation and execute accordingly as soon as one's life is at stake.<sup>39</sup> The sovereign's unlimited and unconditional rule, free from her self-made laws, sits uneasily within the framework of the natural law, which is supposed to transcend an arbitrary opinion, including the sovereign's. The orthodox do not deny the existence of the natural law, however, it is argued it is self-effacing as it commands obedience, and the sovereign's commands are the only obligatory laws one ought to abide by, *whatever* it is the sovereign promulgates.<sup>40</sup> According to May, however, the law of nature is not self-effacing and

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<sup>36</sup> see chapter 2

<sup>37</sup> L 47.20

<sup>38</sup> Strauss, 'Spirit of Hobbes', 13

<sup>39</sup> Quote see: Bobbio, *Natural Law Tradition*, 53

<sup>40</sup> See Lloyd, *Morality in the Philosophy*, 265. Lloyd argues that 'the core commitment of the natural law...imposes upon subjects a genuine and virtually indefeasible duty to comply with the

does set limits, especially given the requirement of the eleventh law of nature that commands equity. Poole argues that equity is a layer 'on top of the civil law'; '[t]he judge should try to interpret the law so that it accords with equity'.<sup>41</sup> On this reading, the sovereign is limited in her ability to formulate a civil law because the civil law is only obligatory insofar it reflects the standards of equity: 'it must be both systemically and morally valid'.<sup>42</sup> In effect, 'equity, not justice, is the dominant moral category in Hobbes's political and legal philosophy'.<sup>43</sup> The moral standard of equity limits the sovereign in 'propounding laws which are either unreasonable, superfluous or arbitrary'.<sup>44</sup> Hobbes does indeed argue that '[the] King is not Bound to any other Law but that of Equity', which means, according to May, that the sovereign is not only bound to rule for the sake of people's safety, but bound also by the principles of 'equality and fairness'.<sup>45</sup> May concludes that the standard interpretation of Hobbes's legal theory which portrays the sovereign as absolute and unlimited ought to be replaced with a sovereign that has 'visible limits...in order that the subjects see the legal system as both

(a) necessary for their safety *and*

(b) fair, that is, not arbitrary and not without appeal when the laws excessively interfere with the subject's liberty'.<sup>46</sup>

I find such an interpretation an unlikely one. I argue that justice remains the dominant moral category, in line with Sorell.<sup>47</sup> May is right to argue that the sovereign is limited since justice is to act in accordance with the civil law *and* to endeavour that the natural law is executed. The natural law has, however, only one aim, which is nature's preservation.<sup>48</sup> Again, this also means that the

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sovereign's civil laws, even when the behaviors commanded violate the requirements of discrete particular Laws of Nature'. Similar arguments are made by Bobbio, *Natural Law Tradition*; and, Loughlin, 'Jurisprudence of Hobbes', 15. On the origins of Hobbes's legal positivism see Coyle 'Origins of Legal Positivism'.

<sup>41</sup> Poole, 'Hobbes on Law', 90-91

<sup>42</sup> Cooper, 'Commanding Consistently', 196

<sup>43</sup> May, 'Hobbes on Equity', 241

<sup>44</sup> May, *Limiting Leviathan*, 67; May, 'Equity and Justice', 242

<sup>45</sup> Dia, 70; May, 'Equity and Justice', 250

<sup>46</sup> May, 'Equity and Justice', 251. May argues that 'the principle of equity provided [the second] limitation'.

<sup>47</sup> Sorell, 'Law and Equity'; See also Olsthoorn, 'Distributive Justice as Equity' and Klimchuk, 'Hobbes on Equity' for arguments against the readings offered by May, Poole, and Dyzenhaus.

<sup>48</sup> See DCv 3.29: 'right reason aims for peace and survival'.

natural law is not self-effacing: people are obliged to judge if the sovereign's intentions damage their fundamental interest for their survival at all times. However, unlike May, I do not believe that citizens have another valid claim to make that limits the sovereign, who need not to refer to the limits imposed by equity. I argue so based on the two-tiered system of justice in Hobbes. The civil law makes for the *in foro externo* obligations which are just *by definition*; the natural law is obligatory in the *in foro interno* sense, and limits the sovereign in one sense only, which is his or her ability to maintain nature's preservation as commanded by the definition of a law of nature.<sup>49</sup>

The distinction made between the fundamental law of nature and the remaining 'less fundamental' explains the need to cover the natural law in two chapters, instead of one, in *Leviathan*. Chapter XIV firstly defines what makes a precept a law of nature and, secondly, defines the fundamental law of nature and the conditions in which one ought to act accordingly. Chapter XV then deduces the remaining seventeen non-fundamental precepts.

The 'chapter-XIV-laws' are fundamental because they are abstract dictates; they tell one to seek peace when others are willing to do so as well. They do not say how to achieve peace; they merely state one ought to do so in principle. The chapter XV laws do describe the means towards peace and, therefore, one's preservation. What makes the first fundamental law of nature fundamental is its inclusion of a final cause. The fundamental law of nature does not offer *what* tends to one's preservation; it merely provides the standard of preservation. Hobbes derives an advice from the natural law's definition, which is *not* a law of nature in itself – it is merely the generative and formal clause that every following law of nature ought to include to remain 'true':

it is a precept, or general rule of reason: *that every man ought to endeavour peace, as far as he has hope of obtaining it* [first branch]; *and when he cannot obtain it, that he may seek and use all helps and advantages of war* [second branch].<sup>50</sup>

Hobbes continues to argue what the actual laws of nature are. The first and fundamental law of nature translates 'the first branch' of the advice in guiding individuals, providing practical

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<sup>49</sup> The sovereign is constrained in terms of content related to man's preservation. In terms of form, the sovereign is obliged also in making the law known publicly: 'it is against his duty to let the people be ignorant or misinformed of the grounds and reasons of those his essential rights...' (L 30.3). See Waldron, 'Principle of Publicity', for an analysis of the importance of making a subject's laws and rights known, according to Hobbes.

<sup>50</sup> L 14.4; Hobbes argues there is a first and a second branch to the definition of a law of nature.

directions: *'to seek peace and follow it'*.<sup>51</sup> The second branch of the advice is 'the sum of the right of nature, which is: by all means we can to defend ourselves', which Hobbes argues all rational men would give up *if others are so too*. The second law of nature summarises this idea:

*that a man be willing, when others are so too, as far forth as for peace and defence of himself he shall think it necessary, to lay down this right to all things, and be contended with so much liberty against other men, as he would allow other men, as he would allow men against himself.*<sup>52</sup>

In short, the first and fundamental law of nature prescribes one ought to seek peace, which is the final cause of the laws of nature. The second law of nature does not yet offer what it is one can do in practical terms, it merely sets the limits of the *in foro externo* obligation given that seeking peace when others are not is irrational. I argue that the only law of nature that sets actual limits to the sovereign's ability to rule as he or she pleases, is the first and fundamental law of nature. As argued in the first and current chapter, subjects are allowed to defer to a different sovereign or to resist their current sovereign once their security is at play. 'Equity' as commanded by the eleventh law of nature, has no such influence.

Equity is namely one of seventeen non-fundamental laws of nature. I argue these are non-fundamental because their final cause is not explicitly stated, but derived solely from the first and fundamental law of nature, which is 'to seek peace'. The seventeen non-fundamental laws of nature are generative descriptions of what it is one ought to do achieve and maintain peace, for example: *'that men perform their covenants made'*; *'that in revenges...men look not at the greatness of the evil past, but the greatness of the good to follow'*; and, most famously, the eleventh law of nature that argues *'if a man be trusted to judge between man and man, it is a precept of the law of nature that he deals equally between them'*.<sup>53</sup> The law of nature that commands equity therefore does not set a new moral standard; it rather continues the one and only moral standard applicable to Hobbes's moral and political theory, which is: preserve nature.

May's interpretation goes against the grain of the whole *corpus* of Hobbes's writings which advocate an indivisible sovereign given *'a kingdom divided in itself cannot stand'*.<sup>54</sup> The

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<sup>51</sup> *ibid.*

<sup>52</sup> L 14.5

<sup>53</sup> These are the third, seventh, and eleventh laws of nature in L 15.1, 15.19, and 15.23

<sup>54</sup> L 18.16

indivisibility rests on Hobbes's claim that any sort of disagreement is a case for quarrel which means that the ability to safeguard the people from destruction rests on one individual, or one group of individuals that speak as one, to decide on all things that could lead to disagreement. Treating people equally enhances the sovereign's chances to settle (potential) disputes, however, the sovereign is not tied to the principle of equity as a goal *in itself*. Rather, equity aids the one aim that the sovereign is answerable to, which is the safety of the people. The sovereign remains free to change and repeal laws at will, with no need to refer to the principles of equity, liberty, fairness, or any other value but justice:

The sovereign of a Commonwealth, be it an assembly or one man, is not subject to the civil laws. For having power to make and repeal laws, he may, when he pleaseth, free himself from that subjection by repealing those laws that trouble him, and making of new; and consequently he was free before. For he is free that can be free when he will: nor is it possible for any person to be bound to himself, because he that can bind can release; and therefore he that is bound to himself only is not bound.<sup>55</sup>

From this passage no principles appear to bind the sovereign – not even the safety of the people, though that is merely the remit of the natural law which Hobbes defends on many occasions. A commonwealth is set up for the sake 'of getting themselves out from that miserable condition of war which is necessarily consequent, as hath been shown, to the natural passions of men when there is no visible power to keep them in awe, and tie them by fear of punishment to the performance of their covenant'.<sup>56</sup> On Hobbes's account, a commonwealth is set up *because* people need an unlimited sovereign. Only if one's safety is at play do our duties towards the civil law vanish, which is why I argue that the law of nature cannot be self-effacing because people are obliged to keep an eye on nature's preservation – including their own preservation. The limits that arise from the equity principle are, on the other hand, nowhere defended: no subject is freed from his duties as soon as the law appears to be applied unequally.

I therefore remain sceptical of May's claim that '[t]he prime law of nature is that of Equity'.<sup>57</sup> Why would the eleventh law of nature be the prime law of nature? Perhaps because the eleventh law of nature is the start of a different set of natural laws: whereas the first ten laws of

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<sup>55</sup> L 26.6

<sup>56</sup> L 17.1

<sup>57</sup> May, 'Equity and Justice', 242



nature seem to be directed at all individuals, the latter (starting from the eleventh) are directed at the sovereign and those who work in the name of the sovereign.<sup>58</sup> It is true that the eleventh law of nature is directed at judges – at those who work in the name of the sovereign – however, the first and fundamental law of nature refers to peace alone, *not* to equity. May counters this point by arguing that Hobbes not only refers to people's safety in terms of their preservation but to a commodious life as well. May marks a distinction between those laws which are just as those that aim to preserve and those laws which are good as 'that which is needful for the good of the people' which, according to May, refers to the principle of equity (good laws) instead of justice (just laws).<sup>59</sup> On these terms, laws are not only justified because they aim for society's preservation but also for a fair treatment of all that goes over and above mere survival.

However, as argued in the previous chapter, Hobbes has no need to define the good as anything else but in a relational sense. 'The good of society' is left undefined *because* Hobbes has no idea what it is any given individual desires. As argued in the second chapter of this thesis, our desires are not subject to reason and '*knowledge of good and evil is a matter for individuals*'.<sup>60</sup> However, whatever it is people desire, they are more likely to be able to pursue their desires in a society that has trade, arts, culture, *et cetera*. Hobbes realises that one necessarily ought to pursue one's preservation in order to enjoy whatever it is one judges good, but he does not limit what it is one can value, as long as one's desires are not contrary to nature's preservation. The good of the people is, I believe, the ability for people to enjoy their desires that are not contrary to the safety of all. It is always safety – the avoidance of conflict – that permeates throughout Hobbes's works. Conflict is natural to man because that continual state of happiness, felicity, translates in a search for glory.

Whereas liberals argue that the limits of liberty have to be justified (for the sake of security, for instance), Hobbes argues the other way round: limits on the safety of the people ought to be justified, whereas liberty can be granted and taken as the sovereign pleases, up till the point where one's security is at risk. There is therefore still space for liberty, but '[h]ow extensive the area for discretionary activity is, is determined by the characteristic types of threat to peace'.<sup>61</sup> A commodious life that the moral law commands is merely an advise, again, for the sake of survival: '[a] narrowly conceived public safety that kept people alive but miserable, is a

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<sup>58</sup> Sorell, 'Law and Equity in Hobbes', 6; Slomp, 'Advice book for Rulers?', 160-163

<sup>59</sup> L 30.20; May, 'Equity and Justice', 246

<sup>60</sup> DCv 12.1

<sup>61</sup> Sorell, 'Law and Equity', 11

good of a kind, but one that would not necessarily be recognised as such by donors of submission'.<sup>62</sup> I agree with Sorell that all that limits the sovereign's abilities are the requirements of justice which is nature's preservation, not equity, and justice is served best with a fair treatment of all. But this advice does not therefore become a legal benchmark in itself. It remains to serve the one and only aim as set out in the fundamental law of nature.

Sorell and May seem to offer two incompatible legal theories, though both agree that the standard interpretation does not suffice given the sovereign *is* limited. It is the extent of those limits where May and Sorell differ. Sorell argues there is only one moral limit – the safety of the people – and May argues there is one more, namely fairness. Sorell argues that a sovereign who acts against the aim of the fundamental law of nature can be punished through people taking back their rights, with right. Equity as the equal treatment of all, on the other hand, remains mere advice to sovereigns instead of an impediment given that subjects have no means to punish the sovereign; one is not allowed to repossess their rights in response to an unequal legal treatment. May agrees and 'admit[s] that Hobbes never explicitly claims that his limitation gives rise to the ability of the subjects to challenge the law directly; but [May thinks] it is fairly clear that Hobbes saw this limitation as binding the law-maker in a moral way, at least in his conscience'.<sup>63</sup> I agree with May's statement because the statement seems to support, or at the very least does not refute, Sorell's findings. The difference is made apparent when May argues that citizens have another legal value to refer to in cases of justice, which May believes is 'equity'. Here I disagree, because the laws of nature oblige only in the *in foro interno* sense, which is indeed an obligation 'in a moral way,...in his conscience'.<sup>64</sup>

### III. Against conventionalism: the objectivity of moral factualism

The only limit the sovereign has is based on man's ability to reason about his security. Gauthier believes otherwise, which has an influence on his interpretation of Hobbes's moral theory, which he believes is conventionalist. Moral conventionalism is the doctrine that a common moral standard of right action can exist, but only by virtue of a human convention that establishes such a standard. It is the convention itself that makes the moral claim true, which is a claim welcomed by orthodox interpreters. Boonin-Vail explains the relationship between the orthodox point of view and conventionalism: 'Hobbes insists that nothing in the world is simply and absolutely

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<sup>62</sup> *ibid.*

<sup>63</sup> May, 'Equity and Justice', 250-251

<sup>64</sup> *ibid.*, 251

good, and this has often been taken as sufficient evidence that he cannot construct a genuine moral theory. According to the contractarian interpretation, however, the subjective theory of good and evil generates no inconsistency with Hobbes's claim to be pursuing moral philosophy'.<sup>65</sup> Hobbes is thought to derive all moral standards from man-made constructs given his moral skepticism, which is the doctrine that whether or not there are objective moral truths, human beings have no way of knowing them. According to Martinich, 'Hobbes's solution to scepticism is conventionalism'.<sup>66</sup> There is no inconsistency since morality according to the conventionalist point of view is a convention, agreed to by its participants — the citizens of the commonwealth in Hobbes's case. On Gauthier's reading, this convention is the *de facto* will of the sovereign given all are obliged to forego their ability to use their natural reason. Gauthier credits Hobbes as 'the greatest of English moral philosophers', due to his 'dual conventionalism [which] is Hobbes's enduring contribution to moral theory'.<sup>67</sup> Hanson believes conventionalism is crucial to Hobbes's political theory because it enables him to 'claim that all standards whatsoever derive from human institution'.<sup>68</sup>

This thesis disagrees with all those who believe that an arbitrary will, including the sovereign's will, is the starting point of Hobbes's moral theory. Instead, I argue that it is man's greediness, which fosters a rational willingness to survive. One increases their chances for survival by being rational. Hobbes explicitly states that no man is to give up his ability to reason and the ability for all subjects to judge if their sovereign is able to safeguard their focal interest for survival shows that all are obliged to use reason.

Hobbes's *in foro interno* obligation does not stretch any further. It simply obliges one to use reason. Whenever right reason is applied, one will find the laws of nature.<sup>69</sup> Peace is not an arbitrary value, rather, 'peace is a common instrumental good, since it is a necessary means to each man's chief good, his own preservation.'<sup>70</sup> According to Gauthier and Hanson's conventional reading, correct reasoning thus dictates one has to follow a convention – *any* convention – which will keep the peace.

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<sup>65</sup> Boonin-Vail, *Science of Moral Virtue*, 68

<sup>66</sup> Martinich, *Thomas Hobbes*, 88

<sup>67</sup> Gauthier, 'Thomas Hobbes: Moral Theorist', 547-548

<sup>68</sup> Hanson, "'Highway to Peace'", 342

<sup>69</sup> This does not contradict the idea that the sovereign is truly sovereign, without a natural limiting his or her ability to govern. See following chapter.

<sup>70</sup> Gauthier, 'Thomas Hobbes: Moral Theorist', 553

Reason is instrumental, but the laws of nature, which prescribe the means of peace, are addressed equally to each man's reason, and so are rational for all. Interest is non-tuistic, yet each man must give up some of the right with which he pursues his own interests, since this is the basis of the laws of nature. Thus morality, a set of conventions constraining each man's maximizing activity, and distinguishing right from wrong, is established.<sup>71</sup>

Gauthier emphasises that morality has to be *established*, defending the idea that 'there are no moral distinctions within the state of nature'.<sup>72</sup> Hanson makes a similar comment when he says 'the specific content of our desires and, indeed, even of reason itself is acquired rather than natural, conventional rather than innate'.<sup>73</sup> Hobbes's description of the state of nature does incline one to think that morality has no place before a social covenant has been agreed to. There is no *mine* or *thine*, no just or unjust. All rules of engagement between individuals seem to be based on convention. Parry argues even the language of promise making is not apparent in the state of nature: obligations can only be made as soon as people realise what it means to 'commit' to something.

The natural condition is one in which no common rules or standards can operate. The common basis of understanding necessary to the concept of a promise is lacking. Performative utterances presuppose a set of public conventions whereas Hobbes's state of nature is precisely a hypothetical condition of affairs where there is no public realm. Even a non-verbal formula for laying down arms would have to be a *conventional* formula and hence presuppose a public.<sup>74</sup>

Parry's reading does not rule out the idea that there is a moral standard present in the state of nature; yet, it does argue it has no function there. So too, according to Shelton, who argues '[m]orality may exist in the state of nature as an ideal or potentiality but it is only realized, insofar as it involves definite obligations to others, when personal commitments are made through the

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<sup>71</sup> Gauthier, 'Thomas Hobbes: Moral Theorist, 553

<sup>72</sup> *ibid.*, 550

<sup>73</sup> Hanson, "'Highway to Peace'", 343

<sup>74</sup> Parry, 'Performative Utterances', 251, emphasis added

social contract'.<sup>75</sup> Where no political institutions exist, right and wrong have there no place, man has a right to everything, even 'to one another's body'.<sup>76</sup> As Gauthier describes it most eloquently: man in the state of nature enjoys a 'blank cheque'.<sup>77</sup>

I find this position an unlikely position to defend. As argued earlier on, Hobbes argues the law of nature are definitely 'Laws, (such of them as oblige all Mankind)'.<sup>78</sup> Morality is obligatory for *all*, independent of any group of men's or individual man's desires. Morality has a set content, which does not speak in favour of an 'anything goes' attitude; Hobbes does not believe morality can be established nor does he believe that the contents of any such a moral convention are accordingly 'good' simply because they have been agreed. He argues explicitly the laws of nature are not the result of convention, rather, they are the result of individual reasoning, where reason is universal, granting us similar answers to the question, 'how to ensure preservation?'

What it is we call the laws of nature, is not agreed upon, by those that have hitherto written. For the most part, such writers as have occasion to affirm, that anything is against the law of nature, do allege no more than this, that it is against the consent of all nations, or the wisest and most civil nations. But it is not agreed upon, who shall judge which nations are the wisest. Others make that against the law of nature, which is contrary to the consent of all mankind; which definition cannot be allowed, because then no man could offend against the laws of nature; for the nature of every man is contained under the nature of mankind. But forasmuch as all men, carried away by the violence of their passion, and by evil customs, do those things which are commonly said to be against the law of nature; it is not the consent of passion, or consent in some error gotten by custom, that makes the law of nature'.<sup>79</sup>

Hobbes continues the argument against the idea that convention makes the law of nature, by stating that it is reason instead that declares to us the ways to peace in times of rest, and defence in times of unrest. If one is passionate enough about his abilities to create a war for the sake of

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<sup>75</sup> Shelton, *Morality and Sovereignty*, 169

<sup>76</sup> L 14.4

<sup>77</sup> Gauthier, 'Thomas Hobbes: Moral Theorist', 550

<sup>78</sup> L 30.30

<sup>79</sup> EL 15.1

one's honour, one is equally able to reason one's self out of it, since, again, '[r]eason is no less the nature of man than passion, and is the same in all men'.<sup>80</sup>

Moral conventionalism implies moral subjectivity, whereas reason's universality implies moral objectivity. In this case, Hobbes's objectivity is relevant to his political theory. As argued in chapter 2 section V, the mind-independent truth of the laws marks the objective feature of Hobbes's moral theory and determines that no individual has a say over morality – it is set, 'out there'. Gauthier's and Hanson's remarks concerning conventionalism have nothing to do with the moral side of the two-tier system of justice; rather, conventionalism can 'potentially' only be found in the legal side of the two-tier system.

Finally, I want to come back to the 'limits' of the sovereign. Even though I believe there is one moral aim that obliges all and even makes it possible for citizens to rightfully get out of the contract, I believe this is still consistent with a sovereign that is absolved from the law. The civil law does not limit the sovereign, but the natural law does not limit the sovereign either, at least physically or legally. When a multitude decides to give up a right they transfer their right to a sovereign, who gives nothing in return. As such, when the sovereign 'fails' to provide the necessary security to society and citizens decide to rightfully opt-out, they are not limiting the sovereign as she will be as free as before. The only limit that the natural law provides is intangible: those who fail to endeavour the execution of the natural law will be judged before the ports of Heaven.<sup>81</sup> However, in this world, there is nothing that limits the sovereign; not even the obligation of all to use reason.

#### IV. Conclusion

Hobbes's moral factualism does not allow for a conventional moral theory, which is the doctrine that a common moral standard of right action can exist by virtue of a human convention that establishes such a standard. It is the convention itself that *makes* the moral claim true. Hobbes believes no moral standard is a creation. It is true that morality exists only by virtue of there being people: moral matters are namely matters concerning one's preservation, which makes morality a useless enterprise if there were no people to worry about preservation. However, given Hobbes's description of man, as one that always longs for *something*, one will necessarily have to survive to pursue whatever it is one desires. The one moral proposition from which all other laws of nature are derived is a morally objective proposition: 'man is forbidden to do that which is destructive of

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<sup>80</sup> *ibid.*

<sup>81</sup> See chapter 8.

his life, or taketh away the means of preserving the same, and to omit that by which he thinketh it may be best preserved'.<sup>82</sup>

The social contract is thus not a result of a conventionalist moral theory. The laws of nature are the 'conclusions or theorems concerning what conduceth to the conservation and defence of themselves'.<sup>83</sup> And, again, this does not lead to a convention since '[t]he natural law *is not an agreement between men, but a dictate of reason*'.<sup>84</sup> Hobbes's moral naturalism leaves no justification for a conventionalist moral theory. Instead, Hobbes argues that:

1. Moral objective features are reducible to non-moral features, which are man's greediness and the equally universal ability to use reason.
2. The laws of nature are moral propositions that are truth-apt, and true.
3. They are true given objective features of the world, independent of one's desires. Not only is reason available to all, there is also no difference in the substance of reason since 'the law of nature is 'a dictate of right reason'; and reason's ways are not dependent on an individual's preferences since 'reason itself...changes neither its end...nor its means, namely those virtues of character which we have laid out above, and which can never be repealed by either custom or civil laws'.<sup>85</sup>

Hobbes's moral factualism agrees with the orthodox description of Hobbes's ethical naturalism; his moral theory does rely on non-moral features that are the use of reason and desires. However, it is not some particular desire, according to which a social contract can be modified. Instead, it is the ability to desire, which leaves the moral imperatives described in the laws of nature alike for all.

Not only are all people capable of desiring and using reason, all are obliged to use reason as well. Reason is not self-effacing and advocates one's survival at all times as a necessary means to enjoy whatever it is one values. The obligation to use reason applies to citizens and the sovereign alike. However, there is only one legal benchmark by which citizens can judge situations, which is justice – the ability for the sovereign to offer citizens protection. There is no other legal value, such as equity, that is as important or even more important. The eleventh law of

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<sup>82</sup> L 14.3

<sup>83</sup> L 15.41

<sup>84</sup> EL table of contents to chapter 2

<sup>85</sup> DCv 1.15 and 3.29

nature that commands equity aims for nature's preservation, just like any other advice as formulated in the non-fundamental laws of nature. Equity is not a layer on top of the civil law.



## CHAPTER 6 – SURVIVAL AS A MORAL FACT

Survival plays a key role in both the orthodox and dissent interpretations. Orthodoxy argues that survival is *always* in one's interest such that survival remains a subjective but dominant good; dissent argues that survival is an objective good such that even if you do not want to survive you have a duty to do so. For orthodoxy, the laws of nature are like doctor's prescriptions; for dissent the laws of nature are categorical moral imperatives. Hobbes's moral factualism argues neither that the laws of nature aim for a value that one may or may not have nor does it argue the laws of nature are moral imperatives, which exist independent of mankind.<sup>1</sup> Rather, Hobbes thought it a fact that all of us enjoy *something* and that one necessarily has to be alive to pursue that good, *whatever* that good might be. The need for survival is a fact: a necessary prerequisite for the state of felicity that each individual longs for. As such, survival remains a private interest. If mankind were to change abruptly tomorrow, valuing death above anything else, the laws of nature would be obsolete. In other words, the laws of nature only exist and only make sense because people exist and exist the way they do.

This raises the question if Hobbes's laws of nature are moral prescriptions at all given the laws of nature relate to a self-interest. Hobbes's determinism, which argues that '*by necessity of nature* all men choose what is apparently good for themselves', complicates the search for a moral theory further.<sup>2</sup> As Nagel argues, '[t]he fact that the egoist is totally incapable of a few specifiable actions is only one aspect of his incapacity for a whole way of behaving. He is susceptible only to selfish motivation, and is therefore incapable of any action, which could be clearly labelled moral. He might, in fact, be best described as a man without a moral sense'.<sup>3</sup>

Private interests are morality's antithesis since moral theories define the good as impersonal: morality requires that 'the egocentricity of the attitude must be eliminated'.<sup>4</sup> This seems a requirement Hobbes cannot meet: to refute a Hobbesian moral theory 'one would need no less than a knock-down argument for impersonal morality in the face of claims of self-interest, and such an argument is notoriously difficult to construct'.<sup>5</sup> The egotistically determined individual is detrimental to the hope of finding a moral theory in Hobbes's writings. Yet, it strikes

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<sup>1</sup> See chapter 2, section V, where I argue that the laws of nature are objective, but not 'cosmic'.

<sup>2</sup> DCv 6.4, emphasis added

<sup>3</sup> Nagel, Nagel, Hobbes's Concept of Obligation, 74

<sup>4</sup> Gert, *Morality*, 170

<sup>5</sup> Sorell, *Hobbes*, 110

me as implausible that Hobbes remains to offer a science of morality, advocated with much certainty, that is not in fact a moral theory.<sup>6</sup>

Our need for survival is near animal-like: people need too survive without the ability to choose its value given we are determined to do so. This is one more problem that Hobbes's moral theory runs into: can a determined individual be morally responsible, even if his or her acts seem morally right? The first section argues that man's incapability to be autonomous is not a problem for Hobbes's moral theory. Hobbes believes one's inability to choose one's course of actions is irrelevant to the question: 'who is *morally* responsible?' The second section discusses one more impediment to finding a moral theory in Hobbes, which is Hobbes's description of human nature as necessarily seeking to satisfy one's private interests. The third section describes attempts by Kemp, Gauthier, and Lloyd to save Hobbes's moral theory by offering a common interest account. In large parts, I defend the common interest account: it shows that Hobbes's moral theory is not merely a prudential theory that argues all ought to act in their own interest at all times. However, I do not believe that Hobbes's moral theory argues that the laws of nature preach in defence of the common good *instead* of a private good. I argue that the distinction between self-interest and a communal good is not Hobbes's. In fact, we are better off understanding Hobbes by eliminating the distinction, given that the laws of nature are not dependent on interests. The laws of nature offer universally true answers in the field of moral science. The fourth section criticises Lloyd's attempts to broaden the common interest account by arguing that the commodious life that the law of nature aims for is an argument in favour of the common interest account. I argue that Lloyd's argument is indecisive: the commodious life that Hobbes portrays can just as easily be portrayed as a private interest. The fifth section criticises Gauthier's common interest account. According to Gauthier, people have to give up natural reason for the sake of a conventional reason. However, I argue that private and communal interests are identical, and as such, no one ought to give up any sort of reasoning.

I conclude that Hobbes did not think in terms of self-interest or communal interests. Rather, Hobbes thought in universally applicable correct answers in the field of moral science. There are no particular values to be defended in Hobbes's moral theory; rather, there is the necessity to preserve one's self to enjoy whatever it is one enjoys. Peace is a necessary means towards

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<sup>6</sup> Oakeshott, *Civil Association*, 10, describes this certainty most eloquently: 'The power and confidence of Hobbes's mind as he comes before us in his writings cannot escape observation. He is arrogant (but it is not the arrogance of youth), dogmatic, and when he speaks it is in a tone of confident finality: he knows everything except how his doctrines will be received'.

satisfying those private interests; as such, the private and communal interests for one's preservation go hand in hand and no distinction can be made.

#### I. Voluntary motions as animal-like behaviour

The orthodox self-interest account argues that survival is always in one's interest and therefore rational to pursue. If that was all that Hobbes's moral theory would amount to, morality would equate private interests. Hobbes's writings do seem to stress the rather selfish nature of mankind and its determined nature to act in one's own interest. This not only raises questions about the ability to act morally properly — to act for the sake of an impersonal good or the good of others — but about moral responsibility as well. If one does not have the ability to act autonomously, can one ever be held morally responsible for one's acts? Hobbes argues this question is irrelevant to a moral theory.

Hobbes distinguishes between voluntary and involuntary acts, neither of which contradicts his determinism, which is the doctrine that all states of affairs are the result of external antecedent events, and could not have been otherwise. Involuntary acts are vital motions, 'to which...there needs no help of imagination', 'such as are the course of the blood, the pulse, the breathing, the concoction, nutrition, excretion, etc.'<sup>7</sup> The other motions that Hobbes discusses are the non-vital motions: they are the voluntary acts, 'as to go, to speak, to move any of our limbs, in such manner as is first fancied in our mind'.<sup>8</sup> Hobbes adds an interesting adjective to the voluntary motions: he judges them animal-like. Whereas I feel more inclined to judge the involuntary vital motions such as breathing and the need for nutrition as animal-like, Hobbes does the opposite and thus defines the voluntary acts as animal motions.<sup>9</sup> Hobbes is not a fool to do so; he is, however, a determinist. *All* one does is determined, since 'every act of man's will and every desire and inclination proceedeth from some cause, and that from another cause, in a continual chain (whose first link is in the hand of God, the first of all causes), proceed from necessity'.<sup>10</sup> One's need to breathe is as determined as the words we speak because the voluntariness that Hobbes discusses has nothing to do with choice. The voluntary motions are as determined as the vital motions, but take a de-tour: they are in need of imagination, which 'is the first internal

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<sup>7</sup> L 6.1

<sup>8</sup> *ibid.*

<sup>9</sup> *ibid.*: 'animal motion, otherwise called voluntary motion'.

<sup>10</sup> L 21.4. Also see L 31.15: 'For by God is understood the cause of the world; and to say the world is God is to say there is no cause of is, that is, no God'.

beginning of all voluntary motion'.<sup>11</sup> Note the adjective 'internal' in the previous sentence: the imagination is *not* the origin of one's voluntary motions, which is God still, yet one does need imagination to transform motion into voluntary motion. The difference between vital and voluntary motions is thus not their origin, rather, the difference is imagination — the *internal* original cause of all voluntary motion. Unsurprisingly, one's imagination is also wholly determined and put to use in the deliberation process.<sup>12</sup> When one deliberates one considers the pros and cons of acting or omitting to act. One alternatively feels attracted or repelled to act. Before one decides to speak, one thus weighs the positives against the negatives until a decision has been made. Those positives and negatives are, like everything else, motions, which Hobbes defines as endeavours.<sup>13</sup> God remains the origin of such endeavours, in man and animals alike.

Those endeavours either attract or repel. If one is attracted to an object or idea one acts; if one feels an aversion to an object or idea, one will omit. If one wants to eat and no other interests are at play, then one will try to find food to satisfy this desire. And, if left unimpeded when acting according to this desire, one has a free will since the will that caused our acts and its resulting act is left unimpeded, in effect free. It is impossible for one to act in contradiction of one's own understanding of the good: 'of the voluntary acts of every man the object is some *good to himself*'.<sup>14</sup> And so we arrive at the crux of the problem: If all acts are indeed done for the sake of *my interests* only, then no *moral* act remains and man ends up an animal: a creature that cannot possibly be held morally accountable for its acts. All acts can be explained as in the interest of the one who acted; as the act that seemed right to a particular individual's self-interest. So how do people distinguish themselves from animals, if at all; and, if all is determined, is there any room left for a moral theory?

The difference between man and animals remains a topic of debate for moral philosophers because we like to think that people *can* act morally just whereas animals *cannot*, which explains why owners of dogs are held responsible for the acts of their dogs instead of the dogs themselves. One popular idea to settle the difference between man and animals is

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<sup>11</sup> L 6.1

<sup>12</sup> L 6.53

<sup>13</sup> L 6.1: 'These small beginnings of motion within the body of man, before they appear in walking, speaking, striking, and other visible actions, are commonly called endeavour'.

<sup>14</sup> L 14.8; for a nearly identical phrase, see L 25.2: 'the proper object of every man's will is some good to himself'. Second quote see L 19.9.

Frankfurt's distinction between first and second-order desires.<sup>15</sup> Both people and animals have the ability to act on their first-order desires, which are such desires as 'I want x'. Animals too have such desires: 'I want to eat' is a desire both man and animals entertain and act upon and would do so rationally when doing it as effectively and efficiently possible. Man's rationality goes further though: man can formulate second-order desires, which may 'contradict' the first-order desires.<sup>16</sup> For instance, I just realised that I have a race next week, for which I have to lose weight still. Thus, while I desire to eat, I wish I did not have that desire. I desire x, though, I desire to not desire x. According to Frankfurt, the difference between a person and an animal is the ability to reason not only about acquiring the objects of our desires — instrumental rationality — but to reason about our desires. The distinction between first and second-order desires explains why anyone who believes there is some autonomy left in people would argue that the involuntary motions are 'animal-like' and the voluntary motions specifically 'human-like'.

For Hobbes, however, the distinction between first and second-order desires does not enable Hobbes to differentiate between animal and human-like behaviour since both are determined — 'nothing can change itself'.<sup>17</sup> People are able to reason about their desires, but the deliberative process of reasoning about one's desires is, again, determined.<sup>18</sup> 'When desiring, one can, in truth, be free to *act*; one cannot, however, be free to *desire*'.<sup>19</sup>

The will that Hobbes discusses is not a free will as one might understand the concept today: a will that is free in its ability to make one the author of one's own life. Hobbes thinks such terms are nonsense: 'if a man should talk to me (...) of a *free subject*, a *free will*, or any *free* but free from being hindered by opposition, I should not say he were in an error, but that his words were without meaning, that is to say, absurd'.<sup>20</sup> A free will is an act unimpeded since the will is 'the last appetite or aversion immediately adhering to the action, or the omission thereof'.<sup>21</sup> One's will is

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<sup>15</sup> See Frankfurt, 'Concept of a Person'. First-order desire = 'I want x'; Second-order desire = 'I want to want x'. As such, it is possible to desire x while at the same time desire to not want x. According to Frankfurt, the ability to formulate a second-order desire is only possible for people.

<sup>16</sup> To argue that 'I want x' while desiring that 'I want to not want x' is not a contradiction in logical terms such as 'I want x' and 'I do not want x' is. A second-order desire is the desire to have a desire, from which it shows that all first-order desires need to have content. In other words, a first-order desire is never a desire about a desire, since such a first-order desire would automatically mean it is a second-order desire.

<sup>17</sup> L 2.1

<sup>18</sup> L 6.53

<sup>19</sup> DH 11.2

<sup>20</sup> L 5.5

<sup>21</sup> L 6.53

judged free when the act that resulted from our internal deliberation is left unimpeded. Because one is determined to act in correspondence with one's final endeavour, a.k.a. the will, the will can be judged free when the act is left unimpeded. The equation of the will with the act is found in Hobbes's words that a free will refers to 'the act (not the faculty) of willing'.<sup>22</sup>

Again, there is no difference between people and animals here because animals too deliberate and act accordingly when the process of deliberation stops and produces the will — *the last appetite in deliberating*.<sup>23</sup>

Neither is the freedom of willing or not willing greater in man than in other living creatures. For where there is appetite, the entire cause of appetite has preceded, and consequently the act of appetite could not choose but follow, that is, of necessity followed...And therefore such a liberty as is free from necessity is not to be found in the will either of men or beasts.<sup>24</sup>

People do not differ from animals on the grounds of deliberation since 'beasts also deliberate' and consequently act according to their will.<sup>25</sup> The process in an animal is altogether much less complicated than an individual's process of deliberation. As argued earlier, the voluntary motions differ from the vital motions in that they need imagination, which Hobbes defines and equates with memory, the former being a positive reference to a decaying sense and the latter a negative reference. When one deliberates one uses one's imagination and memory to decide what to do next. A bee is therefore capable of deliberating using its imagination, however, a bee has fewer memories and imaginations to deliberate about than a mature individual has.

Moreover, people differ from animals in their ability to be rational, which requires the ability to use language, the ability to speak — 'the most noble and profitable invention'.<sup>26</sup> Apart from the ability to formulate truths, language enables people to formulate one's desires, fears, and passions, which are consequently taken into account when deliberating: when deciding how to act next. Language thus enables not only a memory of what one observes but a history of ideas,

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<sup>22</sup> *ibid.*

<sup>23</sup> *ibid.*

<sup>24</sup> DeCorp, 25.13

<sup>25</sup> L 6.53

<sup>26</sup> L 4.1

literature, and the knowledge of what one's friends, neighbours, and enemies communicate.<sup>27</sup> The process of human deliberation includes many more and much more complex memories compared to the process of deliberation in animals.

More complex considerations do not, however, affect man's moral responsibility. Discussing liberty and necessity, Bishop Bramhall notes that Hobbes's idea of freedom as acting unimpeded, irrespective of one's ability to be the author of those acts, leaves problems for a moral theory since 'the proper act of liberty is election', without which one cannot be held morally responsible.<sup>28</sup> Hobbes's compatibilism '[takes] away the very nature of evil and the formal reason of sin...The essence of sin consists in this, that one commit that which he might avoid. If there be no liberty to produce sin, there is no such thing as sin in the world'.<sup>29</sup> What place does morality have when one cannot be held responsible for one's acts?

Hobbes's answer: responsibility is not morally relevant. If people steal, get caught, and consequently are sentenced, '[m]en are therefore not put to death or punished for that their theft proceeds from election, but because it was noxious and contrary to men's preservation'.<sup>30</sup> The answer to my initial problem in this section where I question the ability to be held morally responsible given that one does not have the ability to act autonomously, is quite simple according to Hobbes: yes we are morally responsible even though we are determined. The moral sciences answer the question 'how does one increase one's chances to survive?'. The answer: act according to the laws of nature, the moral facts. If one acts contrary to these moral factual prescriptions one ought to be punished, irrespective of one's *inability* to act in a morally conducive or rather immoral way if the 'choice' was there. Beasts and humans are alike in their search for survival, which gives mankind no moral responsibility to defend or advocate animal rights any more than animals have an obligation to treat human beings any differently. There is one moral benchmark that is applicable to all – nature's preservation. Any supposed difference between individuals and beasts is therefore irrelevant to morality, which Hobbes makes clear when he argues that 'for beasts we kill them justly when we do it in order to our own preservation'.<sup>31</sup>

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<sup>27</sup> See L 2.10, where Hobbes argues that 'That understanding which is peculiar to man is the understanding not only his will, but his conceptions and thoughts, by the sequel and contexture of the names of things into affirmations, negations, and other forms of speech'

<sup>28</sup> Bramhall in LN, §6

<sup>29</sup> Bramhall in LN, §17

<sup>30</sup> Hobbes in LN, §14

<sup>31</sup> *ibid.*

To argue people are not the cause of their own acts does raise the question why Hobbes felt the need to formulate a moral theory. Why bother when all is determined already? I believe that the example of the dog earlier on provides a viable explanation. Today, we believe it reasonable that owners of dogs are morally responsible for the acts of their dogs. However, that does not mean owners are incapable of changing their dog's behaviour. If a pet dog keeps barking whenever a friend visits the house, owners are wise to tell the dog off with an eye to changing the dog's future attitude towards visitors. Hobbes's reference to the voluntary motions as animal behaviour alludes to the same idea: even though all is determined through external factors that does not mean nothing can change a man's behaviour, however determined he might be. It looks like Hobbes just adds one more external factor that might influence people's behaviour: his writings. Even though people are not autonomous, Hobbes is still able to change people's behaviour and the review and conclusion of *Leviathan* suggests a similar influence of being able to discipline, when Hobbes argues that

the contrariety of men's opinions and manners in general, it is, they say, impossible to entertain a constant civil amity with all those with whom the business of the world constrains us to converse (which business consisteth almost in nothing else but a perpetual contention for honour, riches, and authority). To which I answer that these are indeed great difficulties, but not impossibilities. *For by education and discipline* they may be, and are sometimes, reconciled.<sup>32</sup>

Hobbes's core moral idea remains the necessity of a commonwealth for all since all ought to aim for survival — even those who do not realise it is valuable. All who impede one's ability to preserve one's self can rightfully be punished: in a state of nature by all since there is no law that commands one cannot; in a commonwealth by the sovereign who is the sole holder of a right to punish. Like the dominant two interpretations of Hobbes's moral theory, survival remains at centre stage.

## II. Tautological egoism and communal interests

The selfishness we find in Hobbes's writings is a definitional necessity given truly any act can be described as self-interested. Gert has coined Hobbes's egoism tautological: even benevolent acts,

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<sup>32</sup> L Review & Conclusion.3-4, emphasis added



or acts done for the sake of morality are self-interested given I am determined to do so, even when the acts are not egotistical.<sup>33</sup> Tautological egoism means we can ascribe any kind of act to be in one's interest. For example, picture four people celebrating a birthday, unsurprisingly, with a birthday cake, ready to be cut into four pieces. You are allowed to cut the cake in whatever way you want, as long as there are four pieces. You decide to cut the cake in three equally small pieces with one obviously bigger piece on the side. If you pick the biggest piece it is an easy explanation to say you did it out of self-interest because most will acknowledge that 'more cake' serves our value-maximising rational self well. However, imagine you cut the cake in three equal pieces, and one obviously smaller piece, which you consequently pick for yourself. Though, at first, it might not look as a selfish choice, given Hobbes's definition of interest and the good, one could still argue you did it out of self-interest. You either do not like the cake; or, you're trying to lose weight; or, you cannot stand the colour of the cake, or you value the happiness or delight that others derive from eating more cake *et cetera*. In other words: it is not in your interest to have a bigger piece of the cake. We can thus ascribe any type of reason or act as self-interested, be it benevolence, morality, or simply an egoistic motivation, since a benevolent act is as much a motivation that could be in one's self-defined interest as a selfish act is. Tautological egoism therefore differs from psychological egoism since the latter argues that all people act selfishly and it is never in one's interest to act for the sake of other people's interests: one is incapable of acting selflessly. Tautological egoism argues that selfless acts are possible still, since selfless behaviour is possibly what one values above anything else.<sup>34</sup> As Gert argues,

According to Hobbes "...whatsoever is the object of any man's appetite or desire, that it is which he for his part calleth *good*." Thus, when Hobbes says "of the voluntary acts

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<sup>33</sup> Gert, 'Hobbes and Psychological Egoism'

<sup>34</sup> Kavka, *Hobbesian Moral and Political Theory*, 35-37, believes to offer a 'subtler' interpretation of Hobbes's egoism: not egotistical; not even tautological; but 'causal'. 'According to Causal Egoism, we desire (are averse to) states of affairs according to the amount of pleasure (or pain) that we have experienced in conjunction with similar states of affairs in the past. But whether a desire is self-interested or not depends upon the nature of the *object* of the desire, not its causal etiology'. However, the difference between the object of one's desires and what caused the desire (the causal etiology) is similar to Gert's difference between egotistical desires and self-interested desires, in which the former has self-interested objects as its desires whereas the latter refers to the cause – the self – of our desires. Tautological and Causal Egoism are therefore identical.

of every man, the object is some good to himself," he does not intend to rule out either benevolent actions or actions done because of one's moral sense.<sup>35</sup>

Hobbes's tautological egoism, though not necessary selfish, remains detrimental to a Hobbesian moral theory because today's understanding of a moral act is an act that cannot be equated with an act done *because it is in my interest*; yet, all acts, according to Hobbes, are self-interested due to a definitional necessity.<sup>36</sup> Thus, if we think in terms of the self versus others' interests antagonism, then no moral act remains within Hobbes's writings: the egocentric attitude cannot be eliminated.<sup>37</sup>

Before investigating if Hobbes can have a moral theory I want to dismiss ethical egoism as a viable moral theory; an improper moral theory that I do not ascribe to Hobbes either. Ethical egoism is the doctrine that one ought to act for the sake of one's private interests. Kurt Baier points out that ethical egoism has a problematic consequence: there cannot be any appeal to a decisive moral stance in times of conflict – *my* interest versus any one else's interest are equally valid *moral* appeals if self-interest is indeed the only court of appeal:

For morality is designed to apply in...cases...where interests conflict. (...) when there are conflicts of interest, we always look for a higher point of view, one from which such conflicts can be settled. Consistent egoism makes everyone's private interest the 'highest court of appeal'. But by 'the moral point of view' we *mean* a point of view which is a court of appeal for conflicts of interest. Hence it cannot (logically) be identical with the point of view of self-interest.<sup>38</sup>

Ethical egoism argues that other people do not matter unless they can be used to one's advantage. As such, if it is in my best interest to kill you, on Hobbes's terms, it will be in your best interest to kill me. As such, ethical egoism makes for conflicts. Morality cannot be strictly

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<sup>35</sup> Gert, 'Hobbes and Psychological Egoism', 507

<sup>36</sup> *ibid.*

<sup>37</sup> In the Friends episode 'The one where Phoebe hates PBS' the same 'problem' occurs. Phoebe tries to find examples of selfless behaviour but Joe can, at all times, add the sentence that those acts are done for the sake of self-interest after all. No matter how selfless the behaviour, Joe adds the qualification that one who acts selflessly necessarily values selfless behaviour, thereby engaging in self-interested behaviour after all.

<sup>38</sup> Baier 1958, *The Moral Point of View*, 186; More general critiques of ethical egoism can be found in Rachels, 'Two Arguments'.

personal: a viable moral theory will either have to promote the interests of others or an objective good, *especially given Hobbes's aim to avoid conflict*. However, Hobbes's appeals to *self-interest*, which is why Peters says it a problem to argue in defence of a Hobbesian moral theory since morality requires that 'we must be prepared to *disregard our own interests* and bow before the force of argument'.<sup>39</sup> If the laws of nature are merely promoters of self-interest, then the laws of nature cannot be part of any moral theory. Henry Sedgwick's account of Hobbes's moral theory describes the problem that orthodoxy faces perfectly well, arguing that since one is determined to act in one's own interest, it would be unreasonable to advocate anything else but one's own good as morally just.

What, then, is the conduct that [according to Hobbes] ought to be adopted...? In the first place, since all voluntary actions of men tend to their own preservation or pleasure, it cannot be reasonable to aim at anything else; in fact, nature rather than reason fixes the end of human action, to which it is reason's function to show the means. Hence, if we ask why it is reasonable for any individual to observe the rules of social behavior that are commonly called moral, the answer is obvious that this is only indirectly reasonable, as means to his own preservation or pleasure.<sup>40</sup>

The question stated at the very start of this thesis thus remains: can Hobbes offer a moral theory at all? Sorell argues that to refute a Hobbesian moral theory 'one would need no less than a knock-down argument for impersonal morality in the face of claims of self-interest, and such an argument is notoriously difficult to construct'.<sup>41</sup>

Kemp, Gauthier, and most recently Lloyd have tried to construct 'survival' as a communal instead of a private interest since a communal interest elevates one's self-interested acts to the interest of and for others.<sup>42</sup> Thus, even though there is always the ability to define an act as self-interested, a common interest account shows that the law of nature aims for a communal good after all.

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<sup>39</sup> Peters, Hobbes, 164

<sup>40</sup> Deigh quotes this paragraph from Sidgwick's *Outlines of the History of Ethics*. Found in Deigh, 'Reply to Murphy', 97.

<sup>41</sup> Sorell, *Hobbes*, 110

<sup>42</sup> Kemp, *Ethical Naturalism*; Gauthier, 'Thomas Hobbes: Moral Theorist'; Lloyd, *Morality in the Philosophy*

Kemp believes the laws of nature to aim for communal goods as Hobbes formulates a transition from self-interested to moral considerations, 'because the practice of [the laws of nature] conduces to peace, which every man must acknowledge to be good'.<sup>43</sup> Kemp argues

[Hobbes] is not simply trying to derive my moral obligation to keep my promises from the purely selfish consideration that I shall be worse off if I do not; if you were, there would be no reason to suppose that in pursuing my own interests I might not be seriously interfering with other men in the pursuance of theirs. The aim in question, however, is not my own interest in general, but the peace and security without which the successful pursuit of any of my interests is impossible; and this carries with it the corollary that in promoting my own peace and security I am inevitably promoting that of others, and that enacting with this very special kind of prudent concern for my own fundamental interests I am inevitably at the same time helping to promote the fundamental interests of my actual or potential fellow-citizens.<sup>44</sup>

Kemp argues that there is a moral theory because the self-interest for *my survival* has peace as a communal good as its consequence. In other words, my acts are not only of interest to me, but also to others, which qualifies the laws of nature as moral laws after all.

Such a line of reasoning cannot suffice on its own. Even if the result of all acting in a selfish manner is a positive state of affairs, no morality remains. As Nagel explains in reference to man's nature, 'if we forget about the deterministic side of the theory, we might say that men have an obligation to seek their own benefit in certain ways devised by God (by following the laws of nature and setting up civil society), which are rationally the best ways, and consequently the ones by which, acting selfishly, men will be acting in the public interest. But this again is not a moral obligation. The reason an individual chooses to obey the laws of nature will still be totally selfish'.<sup>45</sup>

I believe Kemp's remark above alludes to a better interpretation. I argue that the laws of nature are not aimed at any interest, be it private or communal. Instead, survival is the only true answer to the questions set out in the science of morality. As argued in chapter 2, moral philosophy is a science, which has set answers to a particular set of questions. Where biology

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<sup>43</sup> Kemp, *Ethical Naturalism*, 19

<sup>44</sup> *ibid.*, 18

<sup>45</sup> Nagel, 'Hobbes's Concept of Obligation', 79

answers questions on living organisms, and physics answers questions on the nature and properties of matter and energy, the question the science of morality answers is: what is conducive to one's preservation? Survival is namely not an interest that any individual values in itself; survival has no intrinsic value. Survival merely enables one to pursue a self-defined good, which makes survival in terms of value similar to money, which has no intrinsic value either. Excluding Gordon Gekko, when people argue that they value money they *actually* mean the holidays, school fees, cars, clothing, food *et cetera* that money enables people to buy. When Hobbes argues that people ought to aim for their survival he argues similarly: survival, like, money, has no intrinsic value. One's preservation merely enables one to enjoy whatever it is one values. One's preservation is therefore always in one's interest. According to Hobbes, this interest can only be enjoyed when all of us aim for preservation: it cannot be done in solitude. But is it therefore a private or a common interest? I argue that survival is interchangeably a private and common interest. To repeat Kemp: '*in promoting my own peace and security I am inevitably promoting that of others*, and that enacting with this very special kind of prudent concern for my own fundamental interests I am inevitably at the same time helping to promote the fundamental interests of my actual or potential fellow-citizens'.<sup>46</sup> By avoiding labelling the final cause of our acts in terms of interests, we avoid Nagel's remark that communally good results remain amoral if motivated by self-interest. I do not argue that acting in one's own interest with communally good states of affairs as a result is moral. Rather, I believe the whole distinction between self and communal interests to be irrelevant to Hobbes's moral theory.

That Hobbes does not think in terms of private or communal interests becomes apparent when examining Lloyd's interpretation of Hobbes's writings in her *Morality in the Philosophy of Thomas Hobbes*.<sup>47</sup> Whereas Lloyd had previously argued that 'Hobbes seems to offer no systematic metaethical theory'<sup>48</sup> because 'Hobbes saw his political philosophy as needing no moral philosophy to undergrid it',<sup>49</sup> she has most recently argued its opposite: 'Hobbes *does* have a distinctive, original, and philosophically attractive moral philosophy'.<sup>50</sup> Lloyd believes the orthodox interpretation of Hobbes, which she describes as 'the self-interest account', leaves too many mysteries. Instead, she offers a different account, 'the common good account', which

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<sup>46</sup> *ibid.*, 18, emphasis added

<sup>47</sup> Lloyd, *Morality in the Philosophy*

<sup>48</sup> *ibid.*, 266

<sup>49</sup> *ibid.*, x

<sup>50</sup> *ibid.*, xiv

'claims that the Laws of Nature reliably secure the shared good of communities of interacting agents ('men in multitudes') rather than the distinct goods of individual agents'.<sup>51</sup> Whereas the self-interest account believes Hobbes argued people only ought to aim for survival, the common good account views Hobbes as saying people ought to aim for a commodious living, on top of their survival. Lloyd thus differs from Kemp by arguing that the laws of nature do not aim for survival for all; they aim for survival *and* commodious living for all:

If *anything* is contrary to the common good, the *mode of life suffered in the state of nature is*. So we can think of the common good as (at a minimum) the benefits that distinguish the state of men under civil government from the miserable form of life in a state of nature. These are primarily the benefits of peaceable, organized, sociable, and comfortable living within a community. Peaceable living offers increased security of life and limb, and freedom from gnawing fear; organized sociable living provides the benefits of culture, civilization, and fellowship that depend on political relationships; "commodious living" involves comfort, variety, and plenty...It is fair, then, to characterize Hobbes's conception of the common good as the enjoyment of peace, security, riches, decency, society, elegancy, sciences, and benevolence – in short, to use his own phrase, "of peaceable, sociable, and comfortable living".<sup>52</sup>

Lloyd defends the idea that Hobbes spoke of a communal interest when he spoke of peaceable, sociable, and comfortable living as opposed to a mere self-interest. The common good account incorporates the aim for a commodious living, whereas the self-interest account only aims for mere survival.<sup>53</sup> What follows is an analysis of Lloyd's common interest account by means of three objections. First, I believe Hobbes's laws of nature aim for private interests and communal interests simultaneously since he does not make a distinction between the two. In other words, they are interchangeable, which is exemplified in the 'waffling' between the language of self-interest and the interest of all. Second, and related to the first, I believe an interest for a commodious life is as much implied in the self-interest account as it is in the common good account. That is not to say the self-interest account is therefore a better interpretation of Hobbes's works, rather, it is to say that Lloyd's account does not offer a better

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<sup>51</sup> *ibid.*, 111f

<sup>52</sup> *ibid.*, 118

<sup>53</sup> *ibid.*

explanation of Hobbes's moral theory since it leaves the same questions as the self-interest account does. The third objection I raise is directed at Gauthier especially, but it is an idea that Lloyd supports, which is the claim that one's reasoning changes in a commonwealth. I argue Hobbes thought this impossible.

### III. First objection: the difference between private and common interests

An interest is defined as an advantage or a benefit. As such, one's survival remains an interest, even though it has no intrinsic value, and it is in the interest of individuals and of the community alike: the happier people are around me the less likely I am to pass away any time soon; and, the more people that feel secure, the more likely it is that the arts, culture, engineering wonders, and technological development will take place which enables the pursuit of whatever interest it is one pursues. In other words, the more the merrier; and the merrier the better. I therefore argue that there is no difference between our private and common interests *when it comes to nature's preservation*. I believe Hobbes's writings show a remarkable consistency, *if* we indeed hold there is no difference between the two; *if* one believes that self-interest and the common interests are interchangeable. Hobbes at times replaces one interest for the other between writings, referring to an individual's interest where he had previously stated it was in humanity's interest, or uses both concepts interchangeably within one paragraph. The following example is taken from Lloyd, who compares a near-identical passage from *Leviathan* with its mirroring passage in the *Philosophical Rudiments* and its Latin version *De Cive*. According to Lloyd, *Leviathan* offers support for the self-interested account; yet, *Philosophical Rudiments* and *De Cive* make more sense on the common good account. Hobbes argues in *Leviathan*

A LAW OF NATURE (*lex naturalis*) is a precept or general rule of reason, found out by reason, by which a man is forbidden to do that, which is destructive of his life, or taketh away the means of preserving the same; and to omit that, by which he thinketh it may be best preserved.<sup>54</sup>

Indeed, Hobbes uses a self-interested account of a law as a precept by which *a man* is forbidden to act in a certain way, and to omit that which *he thinks* an act is harmful in relation to *his life*.

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<sup>54</sup> L 14.3

However, such language is not used throughout his writings. Lloyd continues to offer readings of Hobbes, which favour the common-good account.

Consider this passage from *Philosophical Rudiments* asserting that the right to all things had to be given up: "[R]eason, namely, dictating that they must forego that right *for the preservation of mankind*; because the equality of men among themselves...was necessarily accompanied with war; and with war joins *the destruction of mankind*". (...) the corresponding passage in *De Cive* is this: "[A]t the dictation of reason, that right had to be given up for the preservation *of the human race*. For the inevitable consequence of men's being equal...was war, and the consequence of war is *the ruin of mankind*".<sup>55</sup>

Contrary to *Leviathan*, and based on these readings instead, it seems an individual is forbidden to act in a certain way because it leads not to *his* ruin, but *the ruin of mankind*. A possible explanation for this seeming contradiction is to argue Hobbes indeed simply contradicted himself. Another explanation would be to say Hobbes had changed his thoughts over time, becoming more aware of the prevalence of self-interested motivations over the common good.<sup>56</sup> However, I argue there is no relevant difference between self-interest and the common good, since both goods aim for the same: survival. Both passages thus say the very same. Neither my survival nor the survival of all knows collateral damage. Anyone who aims for their personal survival will not impede someone else's survival, nor does the survival of all impede any one's private survival *if the laws of nature are properly adhered to*.

Lloyd, however, believes the apparent waffling between the two interests shows Hobbes defended the common good account: 'Lest we imagine that Hobbes may be using the term 'mankind' idiosyncratically as a synonym for 'the agent', he had already counterposed these: 'it is easily judged how disagreeable a thing to the preservation *either of mankind, or of each single man*, a perpetual war is'.<sup>57</sup> Yet, I cannot detect a preference for either interest or for either account. Rather, Hobbes implies that if all strive for self-interest, the survival of mankind is its *necessary* outcome; and similarly, if all strive for humanities' survival, the survival of each and

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<sup>55</sup> Lloyd, *Morality in the Philosophy*, 112

<sup>56</sup> *Leviathan* (1651) was published after *Philosophical Rudiments* (1640) and its Latin version, *De Cive* (1642).

<sup>57</sup> Lloyd, *Morality in the Philosophy*. 113. Lloyd quotes a passage from DCv 1.13.



every individual is, again, a *necessary* consequence. Survival is the true answer to the science of morality, that offers answers to the question how nature's preservation is best served. The laws of nature offer truths that do not equate, but are closely connected to, interests since 'truth and the interest of men oppose not each other'.<sup>58</sup> The laws of nature provide *universal* answers instead of interests that might relate to the individual or a community.

I believe the much used and infamous passage in *Leviathan* on the fool serves my point, that Hobbes did not apply a distinction between self and common interests, well. It is the fool, who 'questioneth whether injustice (...) not sometimes stand with that reason which dictateth to every man his own good'.<sup>59</sup> Gauthier believes Hobbes refers to a common interest in this passage:<sup>60</sup>

The fool hath said in his heart, there is no such thing as justice, and sometimes also with his tongue, seriously alleging that every man's conservation and contentment being committed to his own care, there could be no reason why every man might not do what he thought conduced thereunto: and therefore also to make, or not make; keep, or not keep, covenants was not against reason when it conduced to one's benefit...This specious reasoning is neverthelesse false.<sup>61</sup>

Only a fool could think it is to his or her benefit to follow some personal interest when all others have given up their right, in effect when all others have constrained their personal good for the sake of a communal good. Gauthier therefore concludes our personal good – which is our personal survival – is replaced by a communal good that is peace. The fool apparently reasons that even in times of peace it may be advantageous to commit injustice for the sake of *his* survival, however, it is to the community's interest *all* remain good, thereby striving for the survival of all, which can only be caused by creating and maintaining peace. Lloyd and Gauthier make a similar point: since Hobbes refers to the interests of society as a whole, there must be a communal good after all. The passage on the fool shows that one sometimes has to forget about one's self-interest — financial gain for instance — for the sake of a common good: peace. One obvious implication of this observation is the idea that there is a difference between self-interest

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<sup>58</sup> EL Epistle Dedicatory

<sup>59</sup> L 15.4

<sup>60</sup> Gauthier, 'Thomas Hobbes: Moral Theorist', 552

<sup>61</sup> L 15.18

and a communal interest. Yet, the idea that *therefore* Hobbes argues all ought to act for humanity's sake is not so obvious since Hobbes very often advises or commands people that they ought to act for their own sake, including a more commodious style of life: 'The final cause, end, or design of men...in the introduction of that restraint upon themselves in which we see them live in commonwealth is the foresight *of their own preservation*, and of a more contended life thereby'.<sup>62</sup> Again, that is not to say that Hobbes actually meant to say the laws of nature were directed at self-interested acts only; rather, it is to say it does not matter to what interest Hobbes refers, be it private or communal interests. Stronger evidence that there is no difference between self-interest and an interest for all is the very same paragraph on the fool, which concludes that the laws of nature are dictated by right reason 'which dictateth to every man his *own* good'.<sup>63</sup> The use of both a common interest and a private interest makes it clear Hobbes is not fixated at keeping a clear distinction between the two different interests.

So far, the objection raised by Lloyd that various of Hobbes's writings refer or imply different accounts of interest, and Gauthier's objection that Hobbes tells the fool to listen to a communal instead of his private interest, successfully show that self-interest is not the only interest man can aim for since Hobbes explicitly refers to humanity's interests. Their accounts nonetheless do not prove that a distinction between self and communal interest is relevant. Most importantly, the waffling between common and private interests show Hobbes did not think in terms of a distinction or dichotomy between the two. Instead, Hobbes argues survival is an interests that is in one's private and in our common interest simultaneously.

#### IV. Second objection: commodious living

Lloyd adds one more argument or specification in favour of a common interest account: the common good is a life of commodious living instead of mere survival. Commodious living is not a private interest but a common good because it refers to 'the benefits that distinguish the state of men under civil government from the miserable form of life in the state of nature'.<sup>64</sup> As such, the common good account defines the end that the law of nature refers to, which is 'peacable, sociable, and comfortable living' as opposed to mere survival as the orthodox self-interest account believes it does.<sup>65</sup>

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<sup>62</sup> L 17.1 emphasis added

<sup>63</sup> *ibid.*, emphasis added

<sup>64</sup> Lloyd, *Morality in the Philosophy*, 118

<sup>65</sup> *ibid.*

Commodious living is the life that enables 'culture of the earth', arts, letters, and a society in itself, which shows itself by the use and display of 'reason, peace, security, riches, decency, society, elegancy, sciences, and benevolence'.<sup>66</sup> It is in other words the opposite of the life that is 'solitary, poor, nasty, brutish, and short'.<sup>67</sup> According to Lloyd, the following passage defines all interests as communal interests *because* they describe the norms humanity ought to follow:

Commodious living is undercut by the withering of "industry", of "culture of the earth", of "navigation", of use of commodities that may be imported by the sea, of "commodious building", and for want of "instruments of moving and removing such things as require much force". Without commonwealths, humanity cannot enjoy the benefits of social cooperation that produce "knowledge of the face of the earth", any "account of time", the arts" and "letters", and generally "society".<sup>68</sup>

Lloyd consequently concludes: 'it is in humanity's interest to abide by norms that best secure the stability of commonwealths, or civil life'.<sup>69</sup>

It is not clear to me why these interests are distinctively coined humanity's interests as opposed to private interests. The conclusions could just have well replaced 'humanity's interest' for 'private interest', arguing that 'it is in any one's *private* interest to abide by norms that best secure the stability of commonwealths, or civil life'.<sup>70</sup> The reason Lloyd presumably prefers to insert the word 'humanity's interest' is because laws and moral norms are a *shared* good. And indeed, to speak of moral norms or laws when one is completely alone in this world is nonsense because there is no reason to limit one's own acts.<sup>71</sup> As argued in chapter 2, morality exists by the grace of there being others around us because 'wrong can only be done to *someone*'.<sup>72</sup> There are simply no other interests to take care of. But to reason that it is in *humanity's* interest, instead of one's private interest to follow norms *because* norms only make sense in society, does not hold. There are many things I prefer to do with others, yet they remain self-interested acts. I row on

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<sup>66</sup> L 13.9; DCv 10.1. Lloyd refers to the latter passage in *Morality in the Philosophy*, 118.

<sup>67</sup> L 13.9

<sup>68</sup> Lloyd, *Morality in the Philosophy*, 120

<sup>69</sup> *ibid.*

<sup>70</sup> *ibid.* Change of words added — private instead of humanity's.

<sup>71</sup> One has to be moral to someone or something that is possibly alive, so plants and animals ought to be included also.

<sup>72</sup> DCv 3.4

Monday nights; I discuss political issues on a Thursday morning; and, I have a Sunday roast with family on a Sunday afternoon. These acts need others to make sense since, for example, rowing a race on your own does take away the competitive elements needed. Despite the many people needed to enjoy the events, they are self-interested still: I enjoy rowing to win regattas; I enjoy debates to hear convincing arguments; and, I enjoy Yorkshire puddings most as part of a Sunday roast. Imagine an individual with exactly the same preferences for rowing, discussions, and Sunday roast. However, this person prefers rowing to break records; enjoys debates as an opportunity to speak his mind; and, enjoys a Sunday roast, yet, prefers one without a Yorkshire pudding. Both of us need each other to enjoy whatever it is we have defined as good, however, this does not mean the interest is therefore automatically a shared interest. Our acts may happen simultaneously but we have different interests and motives to act as we do. So too for the interests of private citizens, which are private interests, yet, only achievable through the workings of society. Therefore, to aim for a commodious life could be a private interest all together, however many people are needed to satisfy the interest, however much society needs to act in a concerted effort.

Note how Gert's assertion of Hobbes's tautological egoism comes to the forefront once again. Because *any* interest can be argued as self-interested, it is an impossible task for Lloyd to argue there is such a thing as a common interest *instead* of self-interests by emphasising the passages where Hobbes refers to humanity's interests or the need for society to work in tandem. I would 'concede' to the common interest account if Hobbes would refer to humanity's interest consistently. Yet, Hobbes does not as the previous section shows. It is therefore unclear how Lloyd's emphasis of a commodious living could be interpreted as a criterion for morality given all can be interpreted as self-interested. One cannot argue that my acts are moral because a commodious life can only be attained through society: the egocentric attitude cannot be refuted by referring to the ends of a commonwealth when my reasons for acting are possibly self-interested still.

#### **V. Third objection: the impossibility of conventional reasoning**

The following claim that Lloyd and Gauthier make independently from one another also cannot prove that the distinction between public and private interests matters. Both argue that there is a common court of appeal – or common judge – in a commonwealth, which defends a common interest instead of a private. Both Lloyd and Gauthier believe there is a difference between 'the good' in a state of nature compared to 'the good' in a commonwealth. In a state of nature

individuals defend their individual interests; in a commonwealth, the sovereign (the common arbitrator), defends the interests of all. Lloyd argues that

To appreciate the appeal of [the common good] account of Hobbes's conception of the interests of humanity, notice that the problem with "a state of nature", which Hobbes defines in *Leviathan* as a state in which "private judgment" is the measure of good and evil, is that in it our interests in peaceable, sociable, and comfortable living cannot be realized...Thus it is in humanity's interest to abide by norms that best secure the stability of commonwealths, or civil life.<sup>73</sup>

A common judge thus implies there are common interests, because we need a higher (impersonal) court of appeal to settle our personal differences. Gauthier furthers the argument by asserting there are more differences between a state of nature and a commonwealth: not just a difference between interests, but also a difference between types of reasoning.<sup>74</sup> During a state of nature, we are only able to appeal to our natural reason, which thinks in the light of our own interests. Given there is no common judge to distinguish right from wrong, our only court of appeal is our natural reason, in effect, our own interests. Once a commonwealth has been covenanted, though, a common arbitrator is set up, which defends *not* the private interest of any particular citizen, but the common interest. The common interest is to have peace, which is secured by formulating laws all can agree with. On Gauthier's terms: it is in my interest all comply with the laws, and I can enjoy their compliance by giving up my *natural reason*, thereby replacing it with a *conventional reason*. 'So conceived, the laws of nature provide for the rational introduction of a morality that is neither individual nor natural, but mutual and conventional'.<sup>75</sup>

Gauthier argues that the laying down of right that marks the introduction of the commonwealth not only introduces the sovereign as the enforcer but also as the great arbitrator, who sets the standard of rightness and thereby replaces our appeal to natural reason. During the

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<sup>73</sup> Lloyd, *Morality in the Philosophy*, 120

<sup>74</sup> I have raised some objections already in chapter 5 of this thesis in relation to Gauthier's and Lloyd's comments concerning a communal reason that replaces one's individual ability to reason. See chapter 5, sections I and II.

<sup>75</sup> Gauthier, 'Thomas Hobbes: Moral Theorist', 552. A conventional reason implies that these reasons must be for an aim to the common good and constrain the private interests we naturally seek for. See page 558: 'Hobbes's moral theory is a dual conventionalism, in which a conventional reason, superseding natural reason, justifies a conventional morality, constraining natural behavior'.

civil state we are not even allowed to appeal to right reason because we have given up that right to the great arbitrator. We therefore cannot appeal to the interest of *my survival* because that interest is only provided by my natural reason – a faculty I ought to ignore once the civil state has been erected. Again, using the passage of the fool, Gauthier argues it is apparent that the morals constructed through agreement in a commonwealth cannot be founded upon self-interest, for that is what a fool would do. A citizen of a commonwealth, however, would forego of his natural reason, and, in effect, ‘forget’ his self-interest.

The Foole appeals to that reason which dictates to every man his own good to natural reason, so that he may show injustice to be rational. But injustice is a violation of covenant, and, in covenanting, in laying down one's right, one has renounced natural reason as the court of appeal, in favor of a reason that dictates to every man what all agree is good.<sup>76</sup>

Gauthier avoids a concern raised by Peters, who argues that ‘[r]espect for truth must come before regard of our own interest. To use our reason, therefore is inconsistent with being *completely* self-interested’.<sup>77</sup> Peters’ concern refers to the methods in finding the most reasonable option and the option that is in my best interest: they cannot be identical, at least not in the method of determining what it is one ought to do. Gauthier avoids this by arguing that the most reasonable option is found through the sovereign’s will, whereas my private interest is defined using my own will. The conventional reason employed by the sovereign is able to limit my self-interested acts for the sake of a common good. In defence of Gauthier: because conventional reason uses a different method of determining what it is I ought to do – in other words, I do not just think of myself from the out-set – he does eliminate the egocentric attitude, even if the act turns out to be in my interest.

Though Gauthier’s interpretation meets the criteria provided by Gert and Peters to eliminate the egocentric attitude, it fails on its interpretation of Hobbes’s account of natural reason. Whereas Gauthier believes it rational for citizens to meet any subject which requires natural reason with silence, Hobbes argues explicitly its opposite: in a commonwealth ‘we are not

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<sup>76</sup> *Ibid.*, 557

<sup>77</sup> Peters, *Hobbes*, 164

to renounce our senses and experience, nor...our natural reason'.<sup>78</sup> He argues so because Hobbes believes it impossible to give up this faculty in similar fashion to his belief it is impossible to give up one's right to self-defence. We are simply incapable of renouncing the faculty of reason. As Hobbes says, 'it is unreasonable...to require of a man endued with reason of his own to follow the reason of any other man, or of the most voices of many other men'.<sup>79</sup>

I also doubt Hobbes had different modes of reasoning in mind when talking of covenants and contracts. In relation to different modes of reasoning, Hobbes explicitly denies it is in *our* power to pick and choose, 'for sense, memory, understanding, reason, and opinion are not in our power to change, but always and necessarily such as the things we see, hear, and consider suggest unto us; and therefore are not effects of our will, but our will of them'.<sup>80</sup> There is a link here between Hobbes's determinism and the workings of reason. One cannot choose how to reason since 'nothing can change itself', and in similar fashion, one cannot choose to (not) reason any differently.<sup>81</sup>

What Hobbes did mean when he argued that 'one has renounced natural reason as the court of appeal' when covenanted, is that there can be no appeal to a *personal* 'right of reason' given the civil law has taken away all doubt concerning justice. One is simply not allowed to act as one's own judge in the state of nature. The reason why one wants to give up that right is for the sake of the final cause that underpins the natural law: one's preservation. The passage on the fool uses the word reason on three occasions in the passage just cited, with each use carrying a different connotation. The passage can be divided into three:

- A. 'The Foole appeals to that reason which dictates to every man his own good to natural reason, so that he may show injustice to be rational'.
- B. 'But injustice is a violation of covenant, and, in covenanting, in laying down one's right, one has renounced natural reason as the court of appeal',
- C. 'in favor of a reason that dictates to every man what all agree is good'.

The first use — (A) — is reason as 'having a reason to do x'. It is to have a reason in the sense of one's motivation. The coffee I am enjoying right now I chose because I am thirsty; the

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<sup>78</sup> L 31.3

<sup>79</sup> L 47.20. See Chapter 5 section I of this thesis.

<sup>80</sup> L 32.4

<sup>81</sup> L 2.1

jumper I am wearing I chose because I am cold; the story I am writing I chose because I want a PhD-title. These are all substantive claims because they do not prescribe how one ought to reason or what procedures to follow to be able to formulate one's good. Rather, reason in this sense it to say: 'I do x because I value y'. This changes the three examples into arguing that: the coffee I am enjoying right now I chose because I value being hydrated; the jumper I am wearing I chose because I value feeling warm; the story I am writing I chose because I want to further my academic career. In each instance, the reason why I chose to do x is because I value *something*. What that something is, is irrelevant for morality. However, keep in mind that Hobbes argues that each and every one of us values *something*, and in order to enjoy that something one must survive since the dead have very little to enjoy. I have to give up my full right, my full liberty, because in a commonwealth I am limited in my reasons – I cannot go against the grain of the commonwealth's purpose.

For the sake of clarity, I want to discuss the third use of reason, '(C)' before discussing '(B)', because, here too, the use of reason is a substantive claim similar to the first use. However, in this case the variable y is always the same: one's preservation. The sentence 'a reason that dictates to every man what all agree is good' shows that y in the sentence 'I do x because I value y' is not a variable anymore. Instead, y is survival since 'all men agree on this, that peace is good'.<sup>82</sup> A law of nature takes the form of 'I do x because I value y; and, y I can only enjoy if I am alive, which is why I choose to excuse the laws of nature'. To act justly is a moral virtue and therefore a universally applicable and justifiable reason for one's acts.<sup>83</sup> To act just, with gratitude, modesty, and mercifully, are all means to a universally applicable reason for our acts: to aim for preservation.

The second use of reason, in (B), is the most interesting for the purpose of criticising Gauthier's interpretation of a conventional reason that replaces our natural reason. The passage argues that in a commonwealth one has renounced their 'natural reason as the court of appeal'. According to Gauthier, that natural reason is reason in a procedural *and* substantive sense: it tells us to reason instrumentally and it tells us that 'peace is a common instrumental good, since it is a necessary means to each man's chief good, his own preservation'.<sup>84</sup> Survival is thus valued because it is a necessary means to one's preservation. This is where Gauthier runs into problems. If it is namely true that all individuals, be it in a state of nature or in a commonwealth, aim for preservation, and the laws of nature 'are rational for all', I fail to see in what ways one's ability to

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<sup>82</sup> L 15.40

<sup>83</sup> *ibid.*

<sup>84</sup> Gauthier, 'Thomas Hobbes: Moral Theorist', 553



reason changes when entering a commonwealth. Hobbes argues all aim for preservation in a state of nature *and* in a commonwealth. The only things that change between these two states are the *means* towards that goal. In a commonwealth there are common laws to keep people in check whereas in a state of nature one only enjoys private abilities to remain alive. However, the means towards peace do not affect one's substantive reasons (I value y) or one way's of reasoning (instrumentally). On Gauthier's account, in a commonwealth people are equally instrumental and equally longing for their survival, provided they are rational. The passage reflects a different use of a private reason, which Hobbes explicitly refers to as the *private* court of appeal.— 'one has renounced natural reason as the court of appeal'. Whereas in a state of nature I have only my private resources available to judge other, in a commonwealth there are laws to help me out. In both occasions, those common laws with a common and powerful sovereign to keep all in awe are better suited to achieve my goal for self-preservation. In other words, the means towards peace have changed but the rationale has not. Gauthier's conventional reason that replaces natural reason is not a change in reason but a change in means.

A procedural right way of reasoning that is right *only for me* is absurd speech. Hobbes argues that one is able to reason scientifically wherever reason can be applied, and science aims to open 'the way from the observation of individual things to universal precepts'.<sup>85</sup> In other words, a *moral* proposition is true because of reasons that apply universally. The laws of nature are true because they are similarly *applicable to all* – true, independent of my thoughts or false reasoning on the matter. Hobbes argues that '[t]he moral virtues are the means of peace – *justice, gratitude, modesty, equity, mercy*, and the rest of the laws of nature' – and all that is contrary to peace are vices'.<sup>86</sup> To act just, with gratitude, modesty, and mercifully, does not exclude anyone's interest for survival such that the difference between private and communal interests is unnecessary. And, *if* private and common interests are indeed interchangeable, as I argue, then changing one's reason from natural to conventional, as Gauthier advocates, is nonsense. Each type of reasoning aims for exactly the same: survival, mine, yours, and everyone else's.

The non-fundamental laws of nature have no original final clause that underpins their truth. The sole final clause that makes the non-fundamental laws 'true' is derived from the final clause as formulated in the definition of, and the first and fundamental, law of nature. If one were to use 21<sup>st</sup> century academic jargon, the non-fundamental laws of nature are most similar to

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<sup>85</sup> DCv Epistle Dedicatory

<sup>86</sup> L 15.40

social science propositions. They argue a link between man's acts and the expected results. They argue, for instance, that those who act equitably, are more likely to find peace. The fundamental law of nature, on the other hand, the one that defines the final clause, is a philosophical problem. The fundamental law of nature formulates the aim that all non-fundamental natural laws are derived from: the fundamental law argues all other laws ought to aim for peace; the non-fundamental consequently prescribe acts that increase the chances for survival. To act mercifully, equitably, to submit one's right to the judgement of an arbitrator when one is a party to a dispute, all these 'advices' are social scientific questions of the form: does behaviour x increase the chances for y?<sup>87</sup> This is not a moral scientific question as fundamental as the law of nature which determines the value of preservation. From there on it is merely an empirical – natural philosophical question – what sort of behaviour increases the aim of the fundamental natural law best. This is important in relation to a supposed private or communal interest distinction. The answers to the empirical question concerning the non-fundamental laws of nature are namely universal as they do not relate to any one's specific interest, even though it might very well be the case that it is always in my interest to act according to the laws of nature. But the truth of the law of nature, again, depends on external facts 'out there' instead of anyone's interests.

It also happens to be the case that my private interest for my preservation knows no collateral damage, and vice versa. As such, private interests for *my* survival and the interest of all are interchangeable, which enables Hobbes to argue that the sovereign's interests and the interests of private citizens are alike: 'the good of the sovereign and people cannot be separated'.<sup>88</sup> Thus, even if Hobbes had defined different conceptions of reasoning they would strive for the same good, which makes the alleged difference between our private natural reason and a communal reason oblique. *Natural* reason as opposed to *communal* reason refer *not* to a different method of reasoning but different means that are available when reasoning. The faculty of reason never changes.

Lloyd's and Gauthier's communal interest accounts save the allegation that Hobbes does not have a moral theory at all because all acts are done out of self-interest. However, these accounts go one step too far: they argue that people ought not to act out of self interest but for the sake of a communal interest instead. I believe the waffling between self-interest and

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<sup>87</sup> L 15.17, 15.23, and 15.30; 'x' is a certain non-fundamental law of nature; y is peace, which Hobbes believes is a necessary part of nature's preservation 'for it can never be that war shall preserve life, and peace destroy it'. See L 15.38.

<sup>88</sup> L 30.21

humanity's interest shows Hobbes did not think in terms of private *or* common interests at all for his moral theory. The laws of nature serve our private interests well, but they are equally in the interest of all. Hobbes's view of morality as a science as explained in chapter three and four show that morality is a science in its own right with set answers to a defined set of questions which answer the question 'what acts make survival most probable?' The answers that Hobbes provide are for the sake of a question that answers the empirical question 'what behaviour serves the aim for peace best?' The answers to those questions – the non-fundamental laws of nature – overlap with one's private *and* communal interests since all aim for preservation. The laws of nature offer true propositions, independent of but closely resemble, one's private and communal interests.

The non-fundamental laws derive their 'truth' from the final cause that is part of the fundamental law. Because the final cause is derived from an ability to use reason and man's greediness, it is, again, impossible to completely get rid of man's self-centered behaviour. Just as it is impossible to argue that all behaviour in Hobbes is egotistical, it is equally impossible to argue that any individual can act with an eye for anything but her own good. I find those authors who try to distill a 'sincere' moral theory out of Hobbes's writings – one that does not make Hobbes guilty of committing the naturalistic fallacy – impressive in the same sense that I find those that argue Paul McCartney was replaced by a look-alike in 1966 due to his death impressive. At first sight this seems impossible; once you go through the 'evidence' you start doubting yourself<sup>89</sup>; luckily, you redeem yourself and reason strikes back and you conclude Paul McCartney did not pass away in 1966. When reason strikes it should be equally obvious that man is determined to act in a self-centered fashion at all times *and* that the laws of nature do depend on man's psychology. Luckily, Hobbes does not deny this; he thinks it rather irrelevant for a moral theory that one is determined to act in a self-centered fashion. However, Hobbes's moral theory can only exist because (a) there are people and (b) those people have desires. Hobbes does not respond to the question 'why should people value their desires?' Hobbes simply thought that question irrelevant, at least in relation to his moral theory. The next chapter argues what Hobbes did think relevant: intentions.

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<sup>89</sup> The 'evidence' being: Lennon signing 'turn me on, dead man' when Revolution 9 is played in reverse; the Abbey Road album cover which mirrors a funeral procession as Paul McCartney represents the corpse given he is out of step and on bare-feet; and, John Lennon's words 'I buried Paul' at the end of Strawberry Fields Forever.

## VI. Conclusion

Any search for a Hobbesian moral theory is forced to reply to Nagel's assertion that human nature 'is susceptible only to selfish motivation, and is therefore incapable of any action, which could be clearly labeled moral. [A Hobbesian man] might, in fact, be best described as a man without a moral sense.'<sup>90</sup> If Nagel is right, if man is determined to act for the sake of his own interests only, man cannot be held morally responsible. Hobbes's determinism seems to support Nagel's assertion, '[f]or by necessity of nature all men choose what is apparently good for themselves'.<sup>91</sup>

Gert shows why Nagel is right to argue that on Hobbes's terms, people necessarily act with an eye to their private interests since Hobbes's definition of interest is tautologically self-interested. This causes concerns for the formulation of a Hobbesian moral theory since acting for the sake of self-interest is the antithesis of morality. Lloyd and Gauthier have tried to circumvent this problem by arguing that man is morally obliged to act for the sake of a common interest. The laws of nature command one to be just: to keep covenants, among others, which is not something one is required to do in a state of nature. Lloyd adds to this common interest account that humanity's interests are different to private interests: in a commonwealth humanity's interests are directed at more than mere survival.

Lloyd and Gauthier are correct to point out that given Hobbes's tautological egoism there is still place for people to act with an eye to the good of others — as long as these acts do not impede one's private good we are still in line with Hobbes's description of human nature that necessarily chooses what is good for one's self. However, both their accounts fail to prove that one ought to act for the sake of a common interest. Lloyd defends her position by showing the passages where Hobbes argues people are required to act for the sake of humanity's interests instead of their private interests. And, according to Gauthier, man is supposed to give up their natural reason for the sake of conventional reason. On my account there is no difference between private and communal interests. Against Lloyd I argue that those passages which refer to humanity's interests are often accompanied with a reference to private interests — if not in similar passages in other works from Hobbes than in the very same passage. The same applies to Lloyd's addition that humanity's interests differ from private interests. It is unclear to me how a commodious life is in humanity's interests as opposed to people's private interests. Against Gauthier I argue that man's reasoning does not change in a commonwealth: both in a state of nature and in a commonwealth people aim for their survival. The substantive claim does not

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<sup>90</sup> Nagel, 'Hobbes's Concept of Obligation', 74

<sup>91</sup> DCv 6.4

change — it is survival all ought to aim for — and the instrumental procedural side of our reasoning does not change either.

The many passages where Hobbes uses both references to private and common interests alike shows that Hobbes thought that survival is a universally applicable answer to the questions posed in the moral sciences, instead of merely a private or communal interest. There is no distinction to be made between the two in moral matters: the laws of nature are the answers one finds in the moral sciences. Morality is a science in its own right, with answers to questions that aim to be scientifically true: universally applicable, independent of any one's *particular* interests. Survival is not a particular interest that is likely to be on top of any one's wish list for Christmas or formulated as a goal for one's new year's resolutions. That is because survival has no intrinsic value: it is merely instrumental in our enjoyment of those things we are aware of valuing. The descriptive fact that all people long for something gives us the moral fact that all ought to aim for peace to enjoy whatever it is one values. I am therefore at times limited in my ability to act since I cannot act for the sake of creating war. However, according to Hobbes, any moral act is a rational act; immoral acts are, by definition, irrational.<sup>92</sup> Wanting war is therefore an irrational desire. Immoral irrational claims make a procedural mistake: only a fool does not recognise that he has desires, which he can enjoy only when others are willing to keep him alive. A state of war is not conducive to a fool's interests, whatever those interests might be. Instead, all are required to act according to the moral virtues, which are conducive to the interest of all — peace — because peace satisfies private interests simultaneously. In effect, humanity's interests and private interests always go hand in hand.

Survival is therefore not a private interest, nor is it a moral requirement that states all have to act for the sake of interests that are external to the individual. Rather, *survival is a universal interest*, which is why Hobbes argues the laws of nature tend to 'nature's preservation' and waffles between private and common interests when discussing the aims of morality.<sup>93</sup>

Hobbes's writings aim to educate people. Indeed, man is wholly determined, which makes many conclude that Hobbes cannot possibly have a moral theory: how could one be held responsible when no one is autonomous? Hobbes dismisses this as a problem: his writings are there to add one more external factor that might cause individuals to act differently — to change from immoral prickly individuals to rational and submissive defenders of peace.

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<sup>92</sup> Note that this is true for Hobbes because his moral theory is very limited: moral acts are those that increase the chances for nature's preservation; immoral acts decrease those probabilities.

<sup>93</sup> L 15.36



## CHAPTER 7 – A SECULAR USE OF SIN

The previous chapter deals with Bishop Bramhall's contention that '[t]he essence of sin consists in this, that one commit that which he might avoid. If there be no liberty to produce sin, there is no such thing as sin in the world'.<sup>1</sup> The idea is simple: if one cannot be held responsible for one's acts because one is determined to act the way one does, one cannot be held morally responsible. Hobbes disagrees and argues that moral responsibility is irrelevant for a moral theory: even though one is determined to act the way one does, this does not mean one cannot distinguish between the moral and the immoral. Moreover, that determined nature seeks to attain private interests since 'every man by nature seeketh his own benefit and promotion'.<sup>2</sup> The previous chapter shows that the inability to forget one's interests when acting does not stop Hobbes from formulating a moral theory, however, it does make one wonder how Hobbes can differentiate between the moral and the immoral. This chapter answers the question what it is that enables Hobbes to judge between the moral and the immoral. The answer: intentions.

The relevance of intentions shows from the ability to sin, which 'may consist, not only in the commission of a fact, or in the speaking of words by the laws forbidden, or in the omission of what the law commandeth, *but also in the intention or purpose to transgress*'.<sup>3</sup> The first two sections of this chapter discuss the ways in which the ability to sin according to Hobbes has been treated so far. The first section discusses the orthodox interpretation that argues that the ability to sin refers to a violation of the civil law which means sin and crime are of equal extent: all sin is a crime, and all crime is a sin. This narrow concept of justice does not suffice because Hobbes repeatedly argues that even those who comply with the law can be sinful. I show instead that the distinction between sin and crime overlap with the distinction between the *in foro interno* and *in foro externo* obligations, the two-tiered system of justice which makes for 'a distinction between morality and legality'.<sup>4</sup>

The second section of this chapter discusses dissent's interpretation, which argues that there is more to justice than mere compliance with the civil law, which calls for a wide concept of justice. A subset of dissent authors has argued in favour of a religious interpretation: an interpretation that argues that sin is to act against one's conscience. I agree with dissent that the

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<sup>1</sup> Bramhall in LN, §17

<sup>2</sup> L 19.9

<sup>3</sup> L 27.1, emphasis added

<sup>4</sup> Hood, *The Divine Politics*, 196

ability to sin covers more than simply trespassing the written law. I however argue that the ability to sin refers to an intention that deviates from the virtuous intention to preserve nature, *independent of one's acts and independent of one's conscience*. The third and final section furthers this secular concept of sin, which is reminiscent of Laird's interpretation of justice in Hobbes: 'just acts' and 'just men' refer to two differing conceptions of justice. The former refers to justice, which arises from covenant; the latter refers to a wider conception, which is 'conformity, or inconformity to reason'.<sup>5</sup> To sin is to violate reason.

#### I. The ability to sin in a narrow concept of justice

A moral theory offers 'a code of conduct that, given specified conditions, would be put forward by all rational persons'.<sup>6</sup> Hobbes's moral theory follows this definition well: it argues a rational person ought to aim for survival by executing the laws of nature, provided one can do so safely. Yet, Hobbes's description of human nature complicates matters. As Gert argues, morality applies only to those 'who can understand it and can govern their behavior by it'.<sup>7</sup> Do determined individuals properly *govern* their behaviour? Charles Taylor recognises that Hobbes's determinism changes the standards of a moral theory given one cannot govern one's behaviours as Kant's moral theory presupposes — one cannot be judged morally right based on the interests one aims to serve:

This unhooking of freedom from any link with the idea of a moral order went along also with a new view of morality, initiated by Hobbes and developed by his utilitarian successors, according to which good and bad conduct are no longer distinguished by the qualities of the motivation which inspires each. There is only one kind of motive recognized as lying behind all human action: a kind of self-love. It produces good or ill, depending on how it is canalized by training or reason. Virtue and vice no longer have a proper place in moral vocabulary, at least in so far as they are meant to distinguish qualities of the will.<sup>8</sup>

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<sup>5</sup> Laird, *Hobbes*, 187; see L 15.10

<sup>6</sup> Gert, *Morality*, 14

<sup>7</sup> *ibid.*

<sup>8</sup> Taylor, 'Kant's Theory of Freedom', 101-102



Taylor is right to conclude that one cannot be judged moral or immoral based on the interest one serves given it is bound to be self-interested. But Taylor's remark that 'good and bad conduct are no longer distinguished by the qualities of the motivation which inspires each' Hobbes denies explicitly: he claims that he can judge between the moral and the immoral based on 'the qualities of the motivation which inspires each' given subjects 'are to be taught that, not only the unjust facts, but the designs and intentions to do them (...) are injustice'.<sup>9</sup>

This is antithetical to the orthodox interpretation, which argues that injustice applies to violations of the civil law, and the civil law only. The orthodox interpretation therefore holds on to a narrow concept of justice based on Hobbes's words that 'nothing can be unjust' in a state of nature because 'where there is no common power, there is no law; where no law, no injustice'.<sup>10</sup> On such an account of justice one's intentions are irrelevant to a moral theory since all that matters is the cold evaluation of one's acts as being either in line or not in line with the civil law. According to the orthodox narrow concept of justice: sinners are those that violate the law; just are those that comply.

However, there is a wider concept of justice present throughout Hobbes's works which contradicts the orthodox point of view head on: Hobbes argues that to comply with the law is to execute a *just act* which is not necessarily done by a *just man* nor does a just man necessarily act according to the civil law. Rather, the just man is he who does not sin which 'may consist, not only in the commission of a fact, or in the speaking of words by the laws forbidden, or in the omission of what the law commandeth, *but also in the intention or purpose to transgress*'.<sup>11</sup> Hobbes defines a just man as 'he that taketh all the care he can that his actions may be all just; and an unjust man is he that neglecteth it'.<sup>12</sup> Intentions, not acts, are the focal point of Hobbes's moral theory because a just act is not necessarily done by a just man, nor is an unjust act necessarily done by an unjust man.

Raphael's orthodox interpretation explains the difference between the just man and a just act by arguing that a just act is a particular act done according to the civil law; a just man, however, is he who 'on average' acts according to the law: 'What [Hobbes] wants to stress is the

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<sup>9</sup> L 30.13

<sup>10</sup> Warrender, *Philosophy of Hobbes*, 88 (definition of narrow concept of justice); for quotes see L 13.13.

<sup>11</sup> L 27.1, emphasis added

<sup>12</sup> L 15.10

distinction between a tendency and a particular instance'.<sup>13</sup> And in relation to this tendency, according to the orthodox interpreters, those acts which are judged either right or wrong are only acts in accordance with *civil* law, not the natural law since 'the definition of INJUSTICE, is no other than the *not performance of covenant*. And whatsoever is not unjust, is *just*'.<sup>14</sup> A sin, on this reading, is nothing else but a breach of covenant, whatever the underlying intention and whatever the rationality or irrationality involved. Intentions simply do not matter to Raphael: a just man is he who has the 'tendency' to act in accord with the civil law independent of one's intentions.

The problem the orthodox face is Hobbes's emphasis on an intention which enables even those that comply with the law to still be considered immoral. A 'tendency' or one's 'average behaviour' will not suffice. Though acts are judged right or wrong dependent on the sovereign's will, Hobbes's use of sin shows that justice incorporates more than a pass or fail based on the civil law. For an individual to be judged 'just', one has to *endeavour* the execution of the moral law as well:

the observation of the law of nature, which is that for which a man is called just or righteous (in that sense in which justice is taken not for the absence of all guilt, but for the endeavour, and constant will to do that which is just)...<sup>15</sup>

There are other adjectives that refer to the 'unjust' which do not carry a necessary relation with a violation of the civil law. Like the *sinner* and the *unjust man* who carry the wrong intentions, one who does not endeavour the execution of the laws of nature is considered unjust, or *unrighteous*.<sup>16</sup> It is not just the different adjectives, it is also the description of what justice ought to include, according to Hobbes, that shows the narrow concept of justice is *too* narrow. For instance, Hobbes argues, '[t]hat which gives to human actions the relish of justice is a certain nobleness or gallantness of courage (rarely found) by which a man scorns to be beholden for the contentment of his life to fraud or breach of promise. This justice of the manners is that which is meant where justice is called a virtue, and injustice a vice'.<sup>17</sup>

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<sup>13</sup> Raphael, 'Hobbes on Justice', 157

<sup>14</sup> L 15.2

<sup>15</sup> EL 25.10

<sup>16</sup> See L 43.4, where Hobbes equates righteousness with those remitted from sin.

<sup>17</sup> L 15.10

The reference to a side of justice that is not strictly speaking a violation of the sovereign's construct of justice should not come as a surprise. The well-known passage on the *in foro interno* and *in foro externo* obligations already shows a distinction between the obligations one must execute according to the sovereign's will, and those natural obligations one ought to *intend* to execute by having 'a desire they should take place'.<sup>18</sup> The former are the *in foro externo* obligations, the latter the *in foro interno*: 'The laws of nature oblige *in foro interno*; that is to say, they bind to a desire they should take place: but *in foro externo*; that is, to the putting them in act, not always'.<sup>19</sup>

I argue that both sins and vices breach an *in foro interno* obligation, which, again, does *not* necessarily rely on the actual execution or omission of a law of nature, but on a willingness to see the laws of nature executed:

And whatsoever laws bind in foro interno may be broken, not only by a fact contrary to the law, but also by a fact according to it, in case a man think it contrary. For though his action in this case be according to the law, yet his purpose was against the law; which, where the obligation is *in foro interno*, is a breach.<sup>20</sup>

Similarly, Hobbes argues that '[t]he laws of nature oblige *in foro interno*, i.e., their transgression is not properly to be called a crime, but a vice'.<sup>21</sup> One more reference to a violation of the natural law as opposed to a violation of the civil law is the difference between injustice and iniquity.<sup>22</sup> The righteous, the sinner, the iniquitous, and the just man are all labelled such based on an intention rather than the actual deed. An immoral intention is referred to as a vice or a sin instead of a crime, which means one can even be judged 'unjust' while observing the civil laws or judged 'just' while acting contrary to the civil law.

Different from the orthodox interpretation, dissent employs a wide concept of justice.<sup>23</sup> Warrender, Hood, and Martinich, employ the wide concept of justice in which '[b]oth sin and crime are breaches of obligation, but sin is the wider term and covers intentions as well as

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<sup>18</sup> L 15.36

<sup>19</sup> *ibid.*

<sup>20</sup> L 15.38

<sup>21</sup> Curley translation of the Latin Leviathan passage, see L 15.36f

<sup>22</sup> Dia, 70

<sup>23</sup> Warrender, *Philosophy of Hobbes*, 87-92

actions'.<sup>24</sup> Warrender explicitly disagrees with Raphael's narrow concept in which 'the just man' refers to one's average behaviour and cites *De Cive*, where 'Hobbes emphasizes the motive more strongly and the notion of 'average' behaviour disappears'.<sup>25</sup>

So as the justice or injustice of the mind, the intention, or the man, is one thing, that of an action or omission another; and innumerable actions of a just man may be unjust, and of an unjust man, just. But that man is to be accounted just, who doth just things because the law commands it, unjust things only by reason of his infirmity; and he is properly said to be unjust, who doth righteousness for fear of the punishment annexed unto the law, and unrighteousness by reason of the iniquity of his mind'.<sup>26</sup>

I agree with Warrender that this passage indeed denies the possibility of understanding the intentions of a just man as his average behaviour. Note the final sentence, where Hobbes emphasises the ability to judge those unrighteous who (a) comply with the law but do so 'for fear of the punishment' and (b) violate the law because of the sinful nature of their mind. The unrighteous, even when they comply with the law, are deemed unrighteous because of the reasons they employ when acting, which has nothing to do with one's 'normal' behaviour. The narrow concept of justice cannot include the sinful intentions as unjust since all who comply with the law are just and all who violate are unjust. By using a narrow concept of justice the orthodox interpretation fails to incorporate the many references to sin, intention, and virtuous behaviour which offer support to the wider concept of justice.

## II. The ability to sin in a wide concept of justice

Whereas a narrow concept of justice focuses only on those acts which breach a self-imposed obligation, the wider concept argues that justice concerns itself with such breaches *and* sin, which 'covers intentions as well as actions'.<sup>27</sup> However, I argue that the wider concept of justice as proposed by Warrender, Hood, and Martinich, stretches too wide for two reasons.

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<sup>24</sup> Warrender, *Philosophy of Hobbes*, 88. Note that 'an obligation' according to the orthodox is at all times self-imposed. The narrow concept therefore not only excludes intentions but also the natural law.

<sup>25</sup> Warrender, *Philosophy of Hobbes*, 89

<sup>26</sup> DCv 3.5 quoted in Warrender, *Philosophy of Hobbes*, 89-90

<sup>27</sup> Warrender, *Philosophy of Hobbes*, 88

First, because Hobbes reiterates the words that 'nothing can be unjust' in a state of nature over and over again, which means that 'the definition of INJUSTICE, is no other than the *not performance of covenant*. And whatsoever is not unjust, is *just*'.<sup>28</sup> The wide concept of justice has to explain and justify its use of justice where Hobbes explicitly argues there is none to be found. Second, the ordinary dissent interpretations are religious interpretations also, which argue that 'Hobbes accepted the ordinary Christian view that whenever a man acts against his conscience he sins, whether the action is, or is not, in itself sin'.<sup>29</sup> However, to argue that sin includes acting against one's conscience is problematic given his literal denial of such sins: '[a]nother doctrine repugnant to civil society is that *whatsoever a man does against his conscience is sin*'.<sup>30</sup> Dissent is right to argue that there are two concepts of justice throughout Hobbes's works, however, I argue that it is not a sin to act against conscience but it is to act against reason.

Martinich offers a solution to the first of these problems, which is that the wide concept of justice argues there *is* a concept of justice present in the state of nature, even though Hobbes contradicts that assertion over and over again. Martinich's solution argues there are two states of nature: a primary and a secondary state of nature. In the so-called *primary* state of nature, which is devoid from all that is law, there is no place for justice and injustice; yet, in the *secondary* state of nature, rights and laws are part of its composition.<sup>31</sup> Hobbes's description of a commonwealth is a gradual construction which starts at the primary lawless state of nature and turns into a secondary state of nature, with the natural law governing it, into a commonwealth with a sovereign able to formulate the civil law.<sup>32</sup> Martinich's description of Hobbes's two-phase state of nature makes it possible for people to initially enjoy 'a right to everything' because 'nothing can be unjust', while being able to sin in the secondary state of nature, since it has a natural law governing it.

Martinich's description of a two-state state of nature is based on the idea that Hobbes employs the compositive method. This is Hobbes's self-declared preferred method, grounded in the Paduan School methodology, in which 'the best way to understand a system, process, or event is to resolve it into its components, analyze these components, and then recompose them

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<sup>28</sup> L 13.3 and 15.2

<sup>29</sup> Hood, *The Divine Politics*, 213

<sup>30</sup> L 29.7

<sup>31</sup> Martinich, *Two Gods of Leviathan*, 74-79

<sup>32</sup> It is important to note for Martinich's purpose, that Hobbes never thought the state of nature has an actual historical presence. It was merely a rhetorical device to show what a state would look like if there were not any laws or institutions present.

via a theory that explains their interrelationships and interactions'.<sup>33</sup> Martinich believes Hobbes applies this method also in his resolution and reconstruction of the state of nature, enabling the description of two, instead of one, states of nature. I find this construction using the compositive method problematic given that the whole argument depends on its use. Given the compositive method plays such a critical role in the argument, I would expect its use to at least be mentioned *during* the argument in *Leviathan*, *De Cive*, or the *Elements of Law*; yet, the compositive method receives its most outspoken support in *De Corpore*, which makes no reference to a state of nature. More importantly, Hobbes *at no point* mentions a relevant distinction *within* the state of nature in any of his works. In other words, Martinich's arguments finds itself on too thin ice.

The 'problem' of any wide concept of justice remains: Hobbes argues time in time again that in a state of nature 'justice and injustice, have there no place', which means that justice has to be formulated in order to exist.<sup>34</sup> However, antecedent to the sovereign definition of justice, the natural law provides the limits within which the sovereign ought to operate: '[i]t is true that sovereigns are all subject to the laws of nature, because such laws be divine, and cannot by any man or commonwealth be abrogated.'<sup>35</sup> Justice, in Hobbes's writings, is legality; the natural law offers merely the limits within which the sovereign is morally able to define the details of justice, which are wide limits nonetheless.

I argue that a correct interpretation of the second problem — interpreting sin in a secular instead of a religious manner — solves the first problem that concerns the application of justice in a state of nature even though Hobbes argues justice concerns itself only with those things a sovereign has deemed unjust.

### III. A secular use of sin

I argue similar to dissent authors that one *is* obliged in a state of nature, and when one violates the laws of nature, one sins. However, Hobbes does *not* believe one ought to endeavour the laws of nature in the ordinary Christian sense; rather, there is a secular reason behind Hobbes's use of sin and righteousness. To sin is not to act against one's conscience, but against reason.

A subset of dissent authors offers a religious interpretation of Hobbes's moral theory. 'A religious interpretation is one that holds that the idea of God and other religious concepts play an

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<sup>33</sup> Hampton, *Social Contract Tradition*, 7; Hobbes declares his preference for this method in *DeCorp*, chapter 6, titled 'On Method'.

<sup>34</sup> L 13.13

<sup>35</sup> L 29.9

important part in Hobbes's philosophy'.<sup>36</sup> I understand a secular interpretation *not* as arguing religion is irrelevant to Hobbes, but as *unnecessary*. In effect, Hobbes's moral and political philosophy does not need a God to explain why individuals have political and moral duties. With respect to the ability to sin, religious interpretations argue as follows:

- 1) Hobbes *does* believe one's intentions are relevant to justice.
- 2) Intentions are relevant independent of the act that follows from one's intentions.
- 3) Therefore, the narrow concept of justice, which refers to acts only, is too narrow.
- 4) The ability to sin shows that Hobbes had a Christian concept of justice in mind, which includes the ability to act against one's conscience.

I argue that the first three points of this account are correct as Hobbes does make a difference between sin and crime. Hobbes argues that 'every sin is a crime; but not every crime is a sin', which shows that sin is a wider concept of justice with crimes as a subset of the set of sins.<sup>37</sup> Most interestingly, Hobbes admits that this wider concept includes the natural law, even where the civil law stops: 'From the relation of sin the to the law, and of crime to the civil law, may be inferred, first, that where law ceaseth, sin ceaseth. But because the law of nature is eternal, violation of covenants, ingratitude, arrogance, and facts contrary to any moral virtue can never cease to be sin'.<sup>38</sup> Outside a commonwealth, one is one's own judge, and '[w]hen, therefore, his intention his right, his fact is no sin; if otherwise, his fact is sin; but not crime'.<sup>39</sup>

Though I agree with the first three points one does not therefore have to assume the fourth point is correct. As argued above, Hobbes denies the truth of the fourth point when he argues that '[a]nother doctrine repugnant to civil society is that *whatsoever a man does against his conscience is sin*'.<sup>40</sup> Hobbes was undoubtedly a Christian thinker, arguing on religious matters in several of his writings and justifying his works through Scripture. Yet, his Christian 'honesty' does not force him to employ a moral and political theory that postulates a natural law theory in a pre-enlightened sense. Hobbes's moral theory *can* be justified on Christian grounds, yet, it is not a

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<sup>36</sup> Martinich, *Two Gods of Leviathan*, 13

<sup>37</sup> L 27.2

<sup>38</sup> L 27.3

<sup>39</sup> *ibid.*

<sup>40</sup> L 29.7

necessary component of his moral theory. Reason provides a sufficient foundation for the obligatory nature of the natural law.

Arguing in favour of a secular ability to sin means I expand on Laird's interpretation of Hobbes's use of intentions — an interpretation on Hobbes's use of intentions offered in 1934. According to Laird, 'just acts' and 'just men' refer to two differing conceptions of justice. The former refers to justice, which arises from covenant; the latter refers to a wider conception, which is 'conformity, or inconformity to reason'.<sup>41</sup> I use Laird's interpretation to the full: a wide conception of justice, which acknowledges that there are two types of obligations one has to adhere to, similar to the religious interpretation, yet replaces God with reason.

As argued above, this two level system of justice and obligations is nothing new: the distinction appears in the much analysed passage on *in foro externo* and *in foro interno* obligations. To comply with the former is to *act* in accord with the civil law; to comply with the latter is to *desire* their execution.<sup>42</sup> In short, to sin, to act unrighteous, with iniquity, as an unjust man, and viciously, all refer to an intention that contradicts the aim of the laws of nature: it is the intention to act for the sake of anything but nature's preservation. I argue that:

- 1) Hobbes *does* believe one's intentions are relevant to justice.
- 2) Intentions are relevant independent of the act that follows from one's intentions.
- 3) Therefore, the narrow concept of justice, which refers to acts only, is too narrow.
- 4) A wider concept of justice incorporates the ability to sin, which refer to duties that transcend the *in foro externo* duties.
- 5) The ability to sin refers to the wider concept of justice that Hobbes discusses, which is the breach of one's *in foro interno* obligations.

Thus the religious interpreters are right to conclude there are at least two concepts of being 'just' in *Leviathan*: first, to act according to the law, and second, to act with the right intentions. Those right intentions are, however, not to act in accord with one's conscience — they are in accord with reason's demands. A Christian sense of sin includes acts against one's conscience, which Hobbes *literally* denies. So, what is a sin, according to Hobbes?

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<sup>41</sup> Laird, *Hobbes*, 187

<sup>42</sup> L 15.36: 'The laws of nature oblige *in foro interno*, that is to say, they bind to a desire they should take place; but *in foro externo*, that, to the putting them in act, not always'



The unrighteous man, like the unjust man, acts to satisfy his *perceived* personal benefits instead of the dominant benefits of peace as justice commands:

A just man therefore is he that taketh all the care he can that his actions may be all just; and an unjust man is he that neglecteth it. And such men are more often in our language styled by the names of righteous and unrighteous than just and unjust though the meaning be the same. Therefore a righteous man does not lose that title by one or a few unjust actions that proceed from sudden passion, or mistake of things or persons, nor does an unrighteous man lose his character for such actions as he does, or forbears to do, for fear: because his will is not framed by the justice, but by the apparent benefit of what he is to do.<sup>43</sup>

One's *apparent* benefit describes the irrational opinion one might have concerning what is truly beneficial to one's self. People are not determined to act according to an objective standard of good; they are determined to act according to their private measurement of good. Hobbes's argument is such that even though all people might value different objects and ideas, they have one thing in common: they all value something. In order to enjoy what it is one values, one has to remain alive since we have no knowledge of what the dead can appreciate (and, as I shall argue in the following chapter, you are more likely to enjoy the afterlife if one remains obedient during one's earthly life). The *apparent* benefit is therefore the benefit that the Fool appreciates more than the benefit one receives from maintaining peace, in effect, from staying alive. This apparent benefit, if it contradicts the laws of nature, cannot be beneficial.

All that contradicts the laws of nature can therefore never be beneficial; all that contradicts one's need for survival cannot be in one's interest. If one acts according to the civil law, and one does so for the sake of one's moral requirements — to preserve nature — one executes a just act as a just man. However, if one acts according to the civil law, but one does so for the sake of one's apparent benefit, one is an unjust man, since one violates the *in foro interno* obligation to at least desire that the laws of nature be executed which aim for nature's preservation. One therefore acts morally right when one's intentions are in line with the aim of the laws of nature, as opposed to acting according to the acts that the law prescribes. As argued above, the sin/crime distinction mirrors the *in foro interno/in foro externo* distinction. In one

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<sup>43</sup> L 15.10

passage, Hobbes argues that sin 'is not only a transgression of a law' as sin consists 'also in the intention or purpose to transgress'.<sup>44</sup> Similar to the *in foro interno* obligation, sin is beyond the concept of narrow justice.

The first sentence of the very same passage continues to argue that sin shows 'contempt of the legislator. For such contempt is a breach of all his laws at once...' Hobbes discusses a violation of the civil law here. Whenever one violates such laws, one violates the will of the sovereign. One of the main reasons for installing a commonwealth with an absolute ruler at its throne is the constant bickering over *anything*, which cannot be settled by reason. People are capable of starting wars over the smallest of differences and signs of undervalue. A sovereign is not one of many options towards peace, it is a necessity since different opinions are everywhere, even within the same person, depending on one's state of mind:

Men's desires differ, as their temperaments, habits, and opinions differ; one may see this in the case of things perceived by the senses, by the taste, for instance, or by touch or smell, but it is much more so in everything to do with the ordinary actions of life, where what one man *praises*, i.e. calls *good*, the other *abuses* as *bad*; indeed the same man at different times *praises* or *blames* the same thing.<sup>45</sup>

To violate the civil law does not only make one a sinner as a trespasser of the law; it simultaneously shows one has the misplaced audacity to think one's arbitrary measure of good and evil is somehow more justified than the sovereign's *constructed common* standard.<sup>46</sup> Since

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<sup>44</sup> L 27.1. The full passage reads: 'A sin is not only a transgression of a law, but also any contempt of the legislator. For such contempt is a breach of all his laws at once, and therefore may consist, not only in the commission of a fact, or in the speaking of words by the laws forbidden, or in the omission of what the law commandeth, but also in the intention or purpose to transgress...To be delighted in the imagination only of being possessed of another man's goods, servants, or wife, without any intention to take them from him by force or fraud, is no breach of the law, that saith, "Thou shalt not covet": nor is the pleasure a man may have in imagining or dreaming of the death of him from whose life he expecteth nothing but damage and displeasure, a sin; but the resolving to put some act in execution that tendeth thereto. For to be pleased in the fiction of that which would please a man if it were real is a passion so adherent to the nature both of man and every other living creature, as to make it a sin were to make sin of being a man. The consideration of this has made me think them too severe, both to themselves and others, that maintain that the first motions of the mind, though checked with the fear of God, be sins'.

<sup>45</sup> DCv 3.31

<sup>46</sup> This common standard refers to matters which are not necessarily moral or are not subject to reason, which means their contents are always up for debate. In effect, the sovereign is allowed

whatever it is one *calls* good is based solely on subjective matters of desire, one is obliged to adhere to whatever standard the sovereign creates if one is willing to make and maintain peace. Whenever one violates the civil law one sins, not only because one commits a crime according to posited law, but also because it shows one's bad intentions towards the sovereign. One does 'unrighteousness by reason of the iniquity of his mind' given one's aims are directed against the interest of nature's preservation when one violates the civil law, with the added clause that conditions were such that to comply with the civil law were deemed reasonable.<sup>47</sup>

Hobbes continues to argue that sin is grounded on an individual's psychological state of mind. Yet, not every idea that is contrary to the means of peace is considered a sin:

To be delighted in the imagination only of being possessed of another man's goods, servants, or wife, without any intention to take them from him by force or fraud, is no breach of the law... For to be pleased in the fiction of that which would please a man if it were real is a passion so adherent to the nature both of man and every other living creature, as to make it a sin were to make sin of being a man.<sup>48</sup>

A sin refers not to one's ideas simply, which may be directed against a law in its endeavours. During the process of deliberation one may have many intentions, even contradictory intentions, however, a sin refers to the intention underlying the eventual act. Hobbes reinstates this idea when he argues

The desires, and other passions of man, are in themselves no sin. No more are the actions that proceed from those passions till they know a law that forbids them; which till laws be made they cannot know, nor can any law be made till they have agreed upon the person that shall make it.<sup>49</sup>

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and expected to define religious matters of society given that the subject itself is not a moral matter *in conscience* — it only becomes a moral matter once people get a chance to debate the issue. Other issues, such as the question if people ought to be able to kill one another, is a moral issue in itself, in which case the sovereign has no say but to choose the moral side of the argument: one ought not to kill, full stop.

<sup>47</sup> DCv 3.5 as cited by Warrender in *Philosophy of Hobbes*, 89

<sup>48</sup> L 27.1

<sup>49</sup> L 13.10

As long as one has the ability to continue one's deliberations there is a chance one will act with the right intentions. What is most important here is the distinction between the various ideas and desires one may have during the process of deliberation, and the actual intention of one's will, which is the *final desire*. One cannot judge one's ideas and desires that one takes into account while deliberating. That which one ought to judge is the intention underlying one's will — 'the *last* appetite in deliberating'.<sup>50</sup>

nor is the pleasure a man may have in imagining or dreaming of the death of him from whose life he expecteth nothing but damage and displeasure, a sin; but the resolving to put some act in execution that tendeth thereto.

As such, the intentions relevant to Hobbes's moral theory are exclusively the endeavours one entertains *while acting*. This might explain why the orthodox narrow concept of justice focuses exclusively on one's acts as relevant to Hobbes's moral theory. However, a closer reading shows it is the intention underlying one's acts that enables one to distinguish between the moral and the immoral.

#### IV. Conclusion

Hobbes believes it is a sin to trespass laws that are inimical to one's survival, in effect to reason. Reason provides the *in foro interno* obligations which argue one ought to intend to live up to reason's aim: nature's preservation. Sin thus encompasses the idea that one can act in accordance with the civil law yet, to act with an intention that differs from the aims of the natural law. Such a person violates the *in foro interno* obligation to at least endeavour the laws of nature be executed for the good that they are meant to achieve. There is no 'Christian sense' to one's acts in the sense that Hood, Warrender, and Martinich understand it to be, which states that one sins when acting against one's conscience. On the contrary: Hobbes argues that the doctrine that one ought to act according to conscience is seditious. It is not conscience that one acts against when committing a sin, but reason. Hobbes employs the language of vice, sin, and unrighteous behaviour because there are those who act contrary to reason, which propagates indisputable facts, necessary to one's survival. Reason thus provides one with right acts, which aim to prolong life. However, all are capable of erring when using reason, and the sovereign is no different.

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<sup>50</sup> L 6.53, emphasis added

Simply following the law is therefore not by definition virtuous, or done by just men, since those virtuous *know* why they act in accordance with reason.

Hobbes is adamant to stress the importance of one's ability to use reason, which is present in each and every one of us. As soon as rhetoric has disappeared, all we are left with is the fact that all need survival to aim for whatever it is we (subjectively) defined as good. To follow the civil law blindly might resemble just acts, yet, to be a just man one ought to reason and intend the just *aim* of one's acts.

## CHAPTER 8 – WORSE THAN DEATH: THE SEARCH FOR SALVATION

The distinction between the *in foro interno* and *in foro externo* obligations overlaps with other distinctions. A violation of a natural law overlaps with one's *in foro interno* obligation, and is called a sin; a violation of a civil law overlaps with one's *in foro externo* obligation (insofar as it refers to the actual execution of the civil law), which is considered a crime. The former is a sin against reason whereas the latter is a crime against the sovereign's commands, such that both injustices have no necessary relation with God. The use of sin does make one wonder why Hobbes had to use a thoroughly Christian concept to justify wrongdoing against reason. What does the word 'sin' add to the idea of violating reason?

I argue in line with dissent interpreters that 'the justice of persons is not connected with obligation as such, but with salvation'.<sup>1</sup> Salvation is found by those that are remitted from sin, which is to be discharged 'of death and misery...such as the faithful are to enjoy after the day of judgment, by the power and favour of Jesus Christ'.<sup>2</sup> Hobbes admits the pleasantries in this life do not outweigh the benefits of salvation given '*eternal life* is a greater reward than the *life present*, and *eternal torment* is greater than natural death'.<sup>3</sup> Olsthoorn has therefore argued there are things worse than death, which undermines the importance of preservation in the here and now as the main aim of Hobbes's moral theory: 'Why would agents anxious about the afterlife be bound to follow dictates which instruct humans how to survive in multitudes? To uphold the universally binding force of natural law, Hobbes needs to show that its demands never conflict with the requirements for salvation'.<sup>4</sup> I believe Hobbes shows that the requirements of the laws of nature and the path to salvation indeed never conflict with each other, '[f]or though there be many things in God's word above reason (...), yet there is nothing contrary to it'.<sup>5</sup>

Throughout this thesis I defend the view that the various distinctions — between crime and sin, sovereign and God, civil and natural law — all overlap the two distinct concepts of justice that Hobbes employs throughout his works best summarised in his distinction between the *in foro interno* and *in foro externo* obligations. They are the distinctions between legality and morality that Hood refers to. There is one more distinction that fits the bills, which is answer to the

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<sup>1</sup> Warrender, *Philosophy of Hobbes*, 90

<sup>2</sup> L 38.15

<sup>3</sup> L 38.1

<sup>4</sup> Olsthoorn, 'Worse than Death', 151

<sup>5</sup> L 32.2

question why would one be willing to act according to the civil law on the one hand (on the legality side), and the natural law on the other (on the moral side). Hobbes argues that whatever it is one desires, one is most likely to enjoy it in a commonwealth, which is why one would comply with the civil law. The natural law, however, one ought to act according to because one seeks salvation. At first sight, there is a distinction: the only path to peace here on earth is obedience; the only path to salvation is through faith alone. In Protestant fashion: *sola fides*. However, this distinction is a *de facto* similarity given that 'having faith' shows itself by being obedient. In short, Hobbes synthesises the requirements of preservation here and the route to salvation in the afterlife employing Calvinistic thought throughout.

The first section argues that the distinction between the means to a successful life on the one hand and a successful afterlife on the other, makes for a *de facto* similarity. The means are obedience and 'to have faith'. One cannot receive the gift of faith through good works; however, to have faith shows itself through obedience. To show signs of having received the gift of faith through the grace of God is through obedience. As the second section shows, Hobbes's beliefs were Calvinistic through and through, and Calvin's writings show a remarkable similarity: both Hobbes and Calvin argue that there are two worlds, one temporal the other ecclesiastical; however, both argue that obedience to the temporal powers are a requirement for salvation. Hobbes's doctrine of salvation agrees with Anglican Calvinism.<sup>6</sup> The third and final section argues that Hobbes's Protestantism might very well be honest, though the role of God in Hobbes's moral and political theory is for mostly rhetorical.

#### I. To have faith shows from obedience

The main aim of Hobbes's political writings is to command obedience and show that this is the exclusive rational route to peace. To do so, all controversy must be put aside and Hobbes does so by placing an all powerful sovereign at the head of the commonwealth who holds both ecclesiastical and temporal powers — both Divine and earthly. 'It belongeth therefore to him that hath the sovereign power to be judge (...) of opinions and doctrines, as a thing necessary to peace, thereby to prevent discord and civil war'.<sup>7</sup> Temporal powers should control both matters of law and faith. To argue one ought to be faithful towards one's sovereign is to argue one ought to follow the word of the sovereign in temporal and ecclesiastical matters. Whereas the two

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<sup>6</sup> Similar remarks are made by Johnson, 'Anglican Doctrine of Salvation' and Gelot, 'Theological Origins'.

<sup>7</sup> L 18.9

governments of temporal and spiritual matters are as distinct as in Calvin, both Hobbes and Calvin argue that in *this* world one cannot be but obedient. The temporal powers are, in effect, the only powers left. Hobbes therefore argues

Temporal and spiritual government are but two words brought into the world to make men see double and mistake their lawful sovereign...There is therefore no other government in this life, neither of state nor religion, but temporal...Who that one chief pastor is, according to the law of nature, hath been already shown; namely, that it is the civil sovereign.<sup>8</sup>

Hobbes does not argue that God is therefore irrelevant. Rather, one ought not to think that one is obliged to follow the commands from a 'government' which does not even exist. No matter how Divine the laws of nature might be, they promote obedience to temporal rather than ecclesiastical powers or matters of conscience.

The Laws of God, therefore, are none but the laws of nature, whereof the principal is that *we should not violate our faith, that is, a commandment to obey our civil sovereigns*, which we constituted over us by mutual pact one with another. And this law of God, that commandeth obedience to the law civil, commandeth by consequence obedience to all the precepts of the Bible.<sup>9</sup>

To act against the sovereign's wishes is 'a violation of faith, and consequently against the law of nature'.<sup>10</sup> However, this ecclesiastical power 'given' to the temporal powers has its limits: an earthly sovereign does not have the power to act as the Christ who judges those at the ports of Heaven for that decision is 'by the power and favour of Jesus Christ' alone.<sup>11</sup> Hobbes argues his words are derived from the Gospel: 'Of the present world, our Saviour speaks (John 18:36) *My*

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<sup>8</sup> L 39.5

<sup>9</sup> L 43.5, emphasis added; Similar comments made in DCv Preface; and, in EL 25.11, Hobbes argues that 'if we conform our actions to the laws, we do not only what we are allowed, but also what we are commanded, by the law of nature, which is the moral law taught by our Saviour himself. And it is part of that obedience which must concur to our salvation'.

<sup>10</sup> L 42.131

<sup>11</sup> L 38.15



*kingdom is not of this world*. For he came only to teach men the way of salvation'.<sup>12</sup> Hobbes formulates his words with great precision, because the *teaching* of the way of salvation does not come with any right to punish subjects, for that is the 'WORLD wherein Christ...thenceforth reign over them (under his Father) everlastingly'.<sup>13</sup> As such, the distinctions between the *in foro interno* and *in foro externo* obligations; the temporal and ecclesiastical powers; the source of one's obligations; the natural and civil law; all come together in a distinction that is not a *de facto* distinction. The means towards achieving one's self-defined good in *this* world is peace, which requires obedience; the means towards salvation is faith, which equally requires obedience.

|                        | <b><i>Legality</i></b> | <b><i>Morality</i></b>      |
|------------------------|------------------------|-----------------------------|
| <i>Obligation</i>      | In foro externo        | In foro interno             |
| <i>Crime or sin</i>    | Crime                  | Sin                         |
| <i>Law</i>             | Civil                  | Natural                     |
| <i>Source</i>          | Sovereign              | God/Reason                  |
| <i>For the sake of</i> | Nature's Preservation  | Salvation                   |
| <i>Power</i>           | Temporal               | Ecclesiastical              |
| <i>The aim</i>         | Peace                  | Salvation                   |
| <i>Means</i>           | Obedience              | To have faith (= obedience) |

Table 7: Obedience and faith overlap

Hobbes's distinction between two worlds — one temporal the other ever after — knows two sovereigns. The temporal powers are in the hands of the sovereign and the sovereign only, and God only reigns in the afterlife with power Divine. This may sound like a contradiction of Hobbes's main project that proves there is only *one* sovereign. But Hobbes succeeds in keeping the *de facto* power of God here on earth at a minimum, whereas the influence of our temporal

<sup>12</sup> L 38.24

<sup>13</sup> *ibid.*

obligations, concerning our chances of going to Heaven, is immense. For instance, one's duties towards the natural law on earth have an influence on our estate in the afterlife. A violation of an *in foro externo* obligation – a duty proper – is a crime. A violation of the *in foro interno* obligation is not a crime, but a sin, which has no consequences in *this* life since sovereigns and their ministers only judge deeds and can only guess about the underlying intentions.<sup>14</sup> However, even though one's intentions have no influence on temporal judges and penalties, we are still advised to act with the right intentions in this life because they remain relevant to one's salvation.<sup>15</sup> In other words, what one does in *this* world has its effects on the afterlife; and what one is advised to achieve for the afterlife, which is the remittance from sin, is to be obedient, again, in *this* life. Both interests in the here and now and interests concerning eternal salvation are achieved through obedience.

The split that Hood's distinction makes between legal and moral matters – a split I defend by arguing that there is indeed a two-tier system of justice between moral and legal matters – is united through their 'means'. Moral justice, commanded by Nature (God-given), made true because reason dictates it, presented as natural laws, whose violation is considered a sin, and which we comply with for the sake of eternal salvation, is achieved through obedience to the temporal power. Legal justice, commanded by the sovereign, made true *because* the sovereign commands it, presented in the civil law, whose violation is considered a crime, and which we comply with for the sake of (commodious) living, is achieved through obedience to the temporal power. The two-way distinction is brought together through their means: obedience, as 'we should not violate our faith, that is, a commandment to obey our civil sovereigns'.<sup>16</sup>

Eternal salvation is available only to the elected few, who received the gift of faith from God.<sup>17</sup> Signs of being one of the elect – signs of having received faith – can be found in those who are faithful; in other words, obedient.<sup>18</sup> Hobbes therefore argues that it is 'faith in Christ, and obedience to law' that saves one. To have faith thus shows when 'being faithful' – faithful to the temporal powers that be. Hobbes has equivocated the meaning of 'to have faith' with 'to be obedient': those that have faith — those who appear to be the elect few — are those most obedient.

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<sup>14</sup> L 42.2-3

<sup>15</sup> L 27.1-2

<sup>16</sup> L 43.5

<sup>17</sup> L 42.6

<sup>18</sup> L 38.24-25; 43.6

## II. Hobbes and Calvin

Hobbes's equivocation of 'to have faith' and 'obedience' does not contradict religious views and theological doctrine in Hobbes's time. Hobbes's views on salvation and sin are Calvinistic through and through, and so are many other of Hobbes's writings in agreement with Calvinist doctrine as accepted in Elizabethan England. Though Hobbes was received as an atheist, much recent literature emphasises that Hobbes was an honest Calvinist – he did not have to portray a false image when voicing his Calvinistic doctrines and principles.<sup>19</sup> He was born in 1588 during the reign of Elizabeth I, brought up in a Calvinistic environment in the south of England, and eventually enjoyed his education at the Calvinistic college of Magdalen Hall, Oxford.<sup>20</sup> Hobbes supports the Five points of Calvinism as defined at The Second Synod of Dort: total depravity, unconditional election, limited atonement, irresistible grace, and the perseverance of the Saints.<sup>21</sup> Moreover, Hobbes argues in defence of the doctrine of *sola scriptura* and *sola fides, sola gratia*, and in the incomprehensibility of God.<sup>22</sup> Glover argues that even 'the picture he draws of human nature still seems to have close affinities with Luther and Calvin'.<sup>23</sup> In short, Hobbes's upbringing, education, and writings all agree with a British Calvinistic point of view.

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<sup>19</sup> See Martinich, 'Protestantism in Leviathan'; Martinich, 'Proper Interpretation of Hobbes's Philosophy'; Edwards, 'Calvin and Hobbes'; and, Curley, 'Calvin and Hobbes'. Curley's agreeing appraisal was most unlikely because he had argued three years earlier that Hobbes was either a deist or an atheist, in 'I Durst not', which goes against the grain of Calvin's thought. However, arguing against Martinich's thesis that Hobbes was an honest orthodox *and* Calvinist, Curley questions if that is at all possible given that orthodoxy and Calvinism as accepted in late 16<sup>th</sup> century Britain are not alike in some fundamental respects. I recommend Kendall, *A Short History*, and Alington, *Christianity in England*, for excellent overviews of these differences. However, for present purposes it suffices to view Hobbes as accepting Calvinism as accepted in Britain in his time. Here too there is disagreement: Franck Lessay argues that Hobbes does indeed sound like a British Calvinist, however, he questions his honesty: 'the feeling induced by historical considerations that changes of religion are always dangerous and that, even when they succeed, they bring few improvements, this argument provided a comparatively strong justification for remaining in the bosom of the Church of England'. See Lessay, 'Hobbes's Protestantism', 276. Both Strauss (*The Political Philosophy of Hobbes*) and Jesseph ('Hobbes's Atheism') offer 'ironic' interpretations of Hobbes's religious convictions.

<sup>20</sup> Martinich, *Two Gods of Leviathan*, 3-4; Hood, *The Divine Politics*, Introduction

<sup>21</sup> Martinich, ('Protestantism in Leviathan', 385) emphasises that Calvinism as a doctrine differs from Calvin's own writings. Contrary to Calvinism's and Hobbes's belief that God died only for the elect, Calvin argued that Christ died for all, yet 'He does not pray for all'. Martinich already refers to the quote, taken from Kendall, *English Calvinism*, 13-14.

<sup>22</sup> Martinich, 'Protestantism in Leviathan'; and Pacchi, 'Hobbes and the Problem of God'

<sup>23</sup> Glover, 'God and Thomas Hobbes', 276

One such a view is Hobbes's distinction between temporal and Divine powers, in which the influence of Divine powers on temporal powers is absent. According to Calvin, there are two governments. The first 'rules over the soul or the inner man, and concerns itself with eternal life', and the second's 'province is the establishment of a merely civil and external justice, a justice in conduct'.<sup>24</sup> Calvin argues the two types of government are quite distinct from each other, yet, both are needed since one cannot expect a sinful people to act in an orderly and Christian manner at all times and places. People are not just longing for eternal salvation, they also want peace and quiet in this world, what Calvin consequently calls civil order. Civil order is beneficial to all: 'Mankind derives as much benefit from it as it does from bread, water, sun, and air, and its dignity is far greater than any of them'.<sup>25</sup> Hobbes would of course agree, and both Hobbes and Calvin argue that it is obedience that brings about civil order. Here is the critical resemblance: *civil order takes precedence over any other political value and civil disobedience is never justified*. Whatever the temporal powers' preferences qua religion, laws, or manners, one ought to obey. Calvin prefers princes and sovereigns to act in a Christian fashion, yet, subjects who read into Calvin a justification for civil disobedience when their sovereign does not act in such a manner, are wrong:

And the governors of a free people ought to employ all their efforts in seeing to it that the people's freedom, whose protectors they are, suffers no diminution of any sort under their rule. And I also say that if they are careless and indifferent about preserving it, or if they allow not to fall into decay, they are disloyal and traitors. *But if those by the will of God live under princes, and are their natural subjects, treat what I have said as applying to them, and are thereby tempted to bring about some rebellion or change, it will not merely be stupid and pointless speculation but a wicked and pernicious one.*<sup>26</sup>

Similar to Hobbes, Calvin argues for the importance of peace, or civil order, as an important aim of one's acts. Both agree that one can violate the natural law, which is to violate the Divine Law. Its violation, again, is a sin. It is a violation in the eyes of God, and God alone. Temporal powers

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<sup>24</sup> Calvin, On Civil Government, 47

<sup>25</sup> *ibid.*, 50

<sup>26</sup> *ibid.*, 86

have no way of judging one's intentions; they can only judge one's acts – a 'justice of conduct' – in violation of the *written* law.<sup>27</sup>

Both Hobbes and Calvin make a link with the importance of obedience during one's time on earth with one's estate in the afterlife: those who seek eternal salvation do so by 'having faith', according to both Calvin and Hobbes. Having faith is a gift from God (*sola gratia*), determined to be given or to be rejected before one is capable of doing good works. One is thus pre-destined to either end up in heaven or hell; either one finds eternal salvation or eternal damnation. A sign of having received that gift of salvation is to show obedience to the temporal powers, whatever that power might preach. Faith, Hobbes argues, is begotten in a passive manner, and no 'good works' can alter one's pre-destined salvation or condemnation. Hobbes supports the Calvinist doctrine of unconditional election when he answers the question why not all believe in God if faith could be acquired during one's time on earth:

But if teaching be the cause of faith, why do not all believe? It is certain, therefore, that faith is the gift of God, and he giveth to whom he will.<sup>28</sup>

Though nothing in one's lifetime, before the second coming of Christ, can change the verdict concerning one's salvation; one can merely find 'signs' of being part of the elect.

One can find signs of eternal condemnation when one violates the natural law, which is considered a sin. Being able to sin does not alter one's obligations towards the sovereign nor does it introduce any other obligation but the requirement of obedience towards the temporal powers. The possibility to violate the natural law does not enable one to follow a conscience other than the sovereign's. Rather, the sovereign *is* one's conscience up to the point that one's life is in danger and one's reason overrules once again. Reason draws the boundaries of what salvation requires: one's preservation and the need to act to preserve nature, to, in effect, not kill. The sovereign defines what is the right thing to do within those boundaries, and doing so also defines the requirements for salvation, the save or remission of sin.

Hobbes's political and religious views are thus not only Calvinistic for theological reasons, but they are also conducive to what Hobbes believes is pertinent for any state, which is security.

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<sup>27</sup> *ibid.*, 47

<sup>28</sup> L 43.8

Calvin agrees, arguing that 'to think about abolishing [civil order] is a monstrous barbarity'.<sup>29</sup> Hobbes's political writings (especially the first two parts of *Leviathan*) argue the benefits of civil order are equally obvious since civil *disobedience* fosters

no place for industry...no culture of the earth, no navigation, nor use of the commodities that may be imported by sea, no commodious building, no instruments of moving and removing such things as require much force, no knowledge of the face of the earth, no account of time, no arts, no letters, no society, and which is worst of all, continual fear and danger of violent death, and the life of man, solitary, poor, nasty, brutish, and short.<sup>30</sup>

Calvin also stresses these worldly benefits, arguing '[m]ankind derives as much benefit from it as it does from bread, water, sun and air, and its dignity is far greater than any of them'.<sup>31</sup> *Leviathan's* latter two parts stipulate the benefits Calvin thought more important, namely that civil obedience 'upholds a public form of religion amongst Christians, and humanity amongst men'.<sup>32</sup>

Hobbes counters those that see a chance to argue that God not only commands obedience simply, but obedience to Him and Him alone. Similar to Calvin, Hobbes advocates that such potential civil disobedience cannot be justified. The laws of nature are namely based on 'the known natural inclinations of mankind and upon the articles of the law of nature'.<sup>33</sup> One cannot know if the afterlife is more beneficial than life on earth. Hobbes therefore argues that disobedience 'cannot be called a precept of reason or nature':

There be some that proceed further and will not have the law of nature to be those rules which conduce to the preservation of man's life on earth, but to the attaining of an eternal felicity after death; to which they think the breach of covenant may conduce, and consequently be just and reasonable; such are they that think it a work of merit to kill, or depose, or rebel against the sovereign power constituted over them

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<sup>29</sup> Calvin, 'On Civil Government', 50

<sup>30</sup> L 13.9

<sup>31</sup> Calvin, 'On Civil Government', 50

<sup>32</sup> *ibid.*

<sup>33</sup> L Review & Conclusion.13

by their own consent. But because there is no natural knowledge of man's estate after death, much less of the reward that is then to be given to breach of faith, but only a belief grounded upon other men's saying that they know it supernaturally or that they know those that knew them that knew others that knew it supernaturally, breach of faith cannot be called a precept of reason or nature.<sup>34</sup>

This passage on Hobbes's Calvinism has so far tried to show that Hobbes was indeed an honest Protestant as Martinich argues. Yet, this does not force us to accept a religious deontological interpretation of Hobbes. Rather, Hobbes's Calvinism enables the promotion of political and moral ideas promoted throughout Hobbes's writings, backed up by scriptural justification. Calvin's political views are also conducive to Hobbes's cause. The political order is not a product of imperfect beings determined to eternal failure; rather, politics is a noble product, 'part of the divine order'.<sup>35</sup> Both Calvin and Hobbes thought that that order, insofar as it concerns this life, should be a product of human reason.<sup>36</sup>

### III. The role of God in Hobbes's moral theory

The difference between acting for peace here on earth for the sake of my own and very real benefits is different from the benefits I might be able to reap in the afterlife, but by equating the means to achieve these goods Hobbes can offer an identical prescription to all. This applies to those who use reason and to those who would rather achieve the heavenly goods, which Hobbes argues, cannot be identified using reason but are defined in Scripture nonetheless.<sup>37</sup> This raises the question: who or what makes the law of nature obligatory; reason or God?

The straightforward answer is reason: through the introspective method as described in the introduction of *Leviathan* people come to realise that they desire some thing, and as a result should at the very least instrumentally value their survival as well. A Hobbesian moral theory is thus nonreligious since God can be left out of the equation and the right use of reason will suffice. But why argue that the law of nature is Divine; why argue that the laws of nature are only

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<sup>34</sup> L 15.8

<sup>35</sup> Hancock, *Calvin and Modern Politics*, 27

<sup>36</sup> *ibid.*, 168

<sup>37</sup> DeCorp 1.8

improperly called laws, yet 'if we consider the same theorems, as delivered in the word of God, that by right commandeth all things, then are they properly called laws'?<sup>38</sup>

This is an exemplary case of 'Hobbes and the problem of God', which 'deals with the question of the relation between Hobbes's philosophy and theology, as Pacchi argues:

There are some scholars who who have tried to answer this question denying any link between Hobbesian thought and Christian, or even natural, religion, emphasizing the significance of the openly declared materialism and of the supposed atheism of Hobbes, and considering his theological statements as merely opportunistic ones; others shift and peruse each Hobbesian writing, in search of every hint made by Hobbes at the existence of God, or at the coincidence of natural and divine law, in order to show that he was in all respects a Christian thinker.<sup>39</sup>

The reason for the many references to a Divine law is, I argue, for rhetorical rather than logical reasons, directed at the irrational. As Olsthoorn rightly points out, not every individual has a desire that can be fulfilled in this life and so the question remains, '[w]hy would agents anxious about the afterlife be bound to follow dictates which instruct humans how to survive in multitudes?'<sup>40</sup> To desire potential goods intrinsically linked to the afterlife, is irrational. As argued in the previous section, 'there is no natural knowledge of man's estate after death, much less of the reward that is then to be given to breach of faith, but only a belief grounded upon other men's saying that they know it supernaturally or that they know those that knew them that knew others that knew it supernaturally'.<sup>41</sup> Knowledge of the afterlife is impossible, though Scripture provides the means: obedience. As such, those that argue that they do possess some knowledge of the afterlife which they believe 'justifies' wrongdoing in the present life, are wrong. The same applies to those 'men [who] prefer to lose their peace and even their lives rather than suffer insult'; they

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<sup>38</sup> L 15.40, 26.40, 31.7, and Review and Conclusion.17; DCv 4.1, 14.4, and 15.1. I refer to the passages in *Leviathan* and *De Cive* given the former is the focal point of Hobbes's moral and political theory and the latter is seen as the least rhetorical of Hobbes's moral writings (see Lamprecht, 'Hobbes and Hobbism', 35). Given the numerous references to a Divine law in the *De Cive* especially, there is a need to explain God's status in Hobbes's moral theory.

<sup>39</sup> Pachhi, 'Problem of God', 171

<sup>40</sup> L 32.2

<sup>41</sup> L 15.8



too are wrong in a moral sense.<sup>42</sup> They are not acting against their apparent self-interest, as Gert believes they do, rather, they act against a moral truth that *all* ought to act for the sake of nature's preservation.<sup>43</sup> The reference to a Divine law is for the many who prefer to lose their peace and even their lives for the sake of the afterlife and its unknown benefits, all of whom are equally irrational.

What we are left with to persuade those with transcendental interests is an argument similar to Pascal's wager: it is in one's own best interest to behave as if God exists, since the possibility of eternal punishment in hell outweighs any advantage in believing otherwise. Even though no one can have a reasonable view of what the afterlife might look like, all are advised to aim for Heaven instead of Hell. The rational individual, religious or secular, is destined to be obedient to the powers that be, as defended in Scripture.

A secular individual would be persuaded by the reference to earthly goods, but the religious who are likely to have transcendental interests have to be persuaded by a reference to the afterlife, but reason cannot provide any details on the afterlife. Hobbes uses this vacuum of knowledge to argue that reason still provides one advice: remain obedient. The problem of God does not lean one way or the other. Hobbes is an honest Protestant, however, his moral theory has no need for a God, though his rhetorical skills do.<sup>44</sup>

#### IV. Conclusion

Hobbes's 'secular' use of the word sin does aim for a heavily Christian inspired sense of salvation. Hobbes shows that the means towards one's salvation and the means towards the pleasantries of a commodious living are alike: obedience. Hobbes has redefined the Protestant credo for salvation — *sola fides* — to obedience by equating 'to have faith' to 'obedience'. The differences that the two-tiered system brings along: a difference in source, power, of sin and crime, are all 'nullified' in the sense that both moral and just acts are achieved through obedience. Those that

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<sup>42</sup> DCv 3.12

<sup>43</sup> Gert, 'Psychological Egoism', 506: 'Hobbes explicitly says that ...most men would rather lose their lives...than suffer slander...' clearly indicating that he held that acting contrary to one's self-interest was a common occurrence'.

<sup>44</sup> Here I echo Gert (in *Prince of Peace*, 82) who argues that 'God plays no theoretical or philosophical role in Hobbes's moral or political theory. Rather, Hobbes thinks it important that the laws of nature can be regarded as commands of God for practical reasons. Because religion was so important in Hobbes's time...he could not hope to persuade people to accept his view unless he showed it was endorsed by Scripture'.

want to achieve the goods in the afterlife in search for eternal salvation are advised to act similarly to those who want to enjoy the earthly goods.

Hobbes can do so in Protestant Calvinistic fashion, in which both the ecclesiastical and temporal world are created and under control of God, yet, one's obedience remains with the temporal powers that be, with no excuse for civil disobedience, except one: if one's sovereign is unable to provide the security needed for one's survival, one is allowed to sign a new contract or to act as a judge in one's own case provided one's life is at stake. Equity in itself does not provide an excuse for civil disobedience; iniquity that makes for a danger to one's preservation does, because this goes against the sole aim of the law of nature and the reason one signed a social contract: one's preservation.

## CONCLUSION

Thomas Hobbes has, rightly or wrongly so, often been labelled as an early contributor to *political* realism and moral conventionalism.<sup>1</sup> This thesis shows that Hobbes's moral and philosophical roots are more in tune with *moral* realism: there are moral propositions 'out there', independent of any one individual or any one particular desire. Those who deny those moral propositions – the laws of nature – are promulgating falsities, which marks the objectivity of Hobbes's moral theory. At the same time, those moral propositions only make sense when there are people out there who actually desire something. In that sense, Hobbes's moral theory is subjective since morality does not pre-date humanity. The universal applicability of the laws of nature depend on a fact concerning man's psychology: as long as we live, we desire. It is theoretically possible that morality changes according to a change in man's psychology; however, Hobbes never discusses this possibility. Though we have very many different desires and we may change our preferences based on our mood or appetite, Hobbes thinks it unlikely that an individual will give up *all* desires. And, as long as one desires, one ought to survive to enjoy whatever it is one desires. As such, morality remains applicable to all.

The objectivity of the laws of nature affects what makes the laws of nature 'true'. Hobbes's moral theory is minimal: moral acts prolong life; immoral acts diminish life. The aim for preservation – the final cause of morality – is true *given* the fact that all desire something. This is true in relation to the fundamental law of nature which defines the final cause of morality. That final cause is formulated in the original definition of a law of nature, which argues that one ought to survive. All the non-fundamental laws of nature that follow merely describe the ways in which one is most likely to achieve that end. For both the fundamental and non-fundamental laws of nature count that what makes those laws 'true' depends on certain objective features that make the acts that the laws of nature prescribe indeed prolong life; their truth does not depend on one's *willingness* to survive. Morality is not man-made.

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<sup>1</sup> Slomp, 'The Origins of Realism'

As argued in chapters three and four: the *natural* law is not a man-made law, which influences the alleged similarity between geometry and morality. It is true that Hobbes likens the methods used in geometry – an axiomatic system from which further truths can be deduced. However, Hobbes realises that their different authors affect the starting axioms of both sciences. Though geometry starts its ratiocination process from self-evident man-made descriptive facts, morality includes one more axiom, which is the aim – the final cause – of morality: preservation. The inclusion of a natural final cause, which is unnecessary for the geometrical sciences, shows that moral science relies on its own method. That method is the process of self-reflection as advocated in the introduction of *Leviathan*, impossible to apply to any other science.

Which brings us to the original question presented at the start of this thesis: 'does Hobbes have a moral theory?' A positive answer faces two problems. First, all one's acts are determined, which means that no one is in control of their acts. Second, that determined nature is self-centered, which is the antithesis of moral behaviour. Hobbes argues that both 'problems' pose no threat to his moral theory. The ability to distinguish between the moral and the immoral does not rely on the interest one serves, and one's inability to choose one's course of action does not affect the status of an act as obnoxious to morality's aim, which is nature's preservation. Instead, moral acts are those in accordance with reason. More specifically, it is not the physical act itself that makes one moral or immoral; rather, it is the intention underlying one's acts. At times, this means that one's acts are immoral even though one abides by the civil law while at other times one's acts are moral even though one violates the civil law. Compliance with the *in foro externo* obligations do *not* make one a just person; compliance with one's *in foro interno* obligations do. As chapter five shows: the *in foro interno* obligation to endeavour that the laws of nature be executed has one obligation that necessarily follows: one is obliged to use reason.

Morality does not depend on legality. Whereas a violation of a civil law is a crime, a violation of a moral law (the natural law) is a sin. Hobbes's use of 'sin' shows he did not follow a typical Christian sense of sin, which is to act against one's conscience. Instead, according to Hobbes, to sin is to act against reason. One typically does not want to sin because of the penalty that lies ahead, which is eternal damnation, and Hobbes admits that eternal salvation is the most valuable object of our desires. This could lead to a difference

between obligations – an obligation to follow the commands that reason provides as to secure one's salvation, versus the commands as laid down by the sovereign as to secure one's (commodious) life. This would be antithetical to Hobbes's goal, which is to argue that there is only one power in this world – the sovereign – and that 'the kingdom of Christ is not of this world' from which it follows that Christ's ministers cannot require obedience 'unless they be kings'.<sup>2</sup> How can Hobbes advocate that there are two objects of our desires – one related to this life, the other related to the afterlife – which require compliance to different strands of justice?

This question leads to the final theme of this thesis, which is obedience to temporal powers. The 'good' that we can achieve in the afterlife requires compliance with moral justice; a commodious life on earth requires obedience to legal justice. Hobbes unites this difference by arguing that both one's salvation and one's (commodious) life are within reach using the same means: obedience. Though eternal salvation is achieved through a gift from God alone, which is the gift of faith, one can find signs of being one of the elect through one's ability to be obedient to the temporal powers. A commodious lifestyle, also, requires obedience to the temporal powers. The distinction between morality and legality that plays out in the differences between civil and natural law, between crime and sin, between sovereign and reason, between the aim for one's salvation and the aim for a commodious life, comes together in the very same means to achieve those objects, which is obedience to the temporal powers that be.

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<sup>2</sup> L 42.6

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